

# **Autocrats versus Terrorists: What Conditions Authoritarian Counter-Terrorism?**

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To the one who thought I couldn't do it  
to the one who knew I could  
to the one who showed me how to  
to the one who makes me strive for perfection  
to the one who taught me that perfection isn't everything  
to the one who put me down  
to the one who helped me up  
to the one who said it doesn't matter  
to the one who told me to get back in the ring  
to the one who lets me believe in myself  
to the ones who know about SnickCon

~ thank you.



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## Acronyms and abbreviations

AFP	Agence France Press
AGIL-Schema	Adaptation, Goal Attainment, Latency, Integration (e.g. Pickel, S. and Stark 2010)
AI	Amnesty International
AIUK	Amnesty International United Kingdom
AP	Associated Press
AQ	Al Qaeda
AQIM	Al Qaeda in the Islamic Maghreb
BBC	British Broadcasting Corporation
CCMNC	Coordinating Centre of North Caucasus Muslims (Russia)
CCP	Chinese Communist Party
CCPPD	CCP Propaganda Department
CCT	Concept of Counter-Terrorism (Russia, 2009)
CDUM	Central Muslim Spiritual Bard of Russia, also CSBM (Russia)
CGV	José Antonio Cheibub, Jennifer Gandhi & James Raymond Vreeland (2010)
CHRI	Chechen Republic of Ichkeria
CK	Caucasian Knot
CMC	Central Military Commission (PRC)
CNN	Cable News Network
CODEXTER	Council of Europe Committee of Experts on Terrorism
CoE	Council of Europe
COIN	counter-insurgency
CPLC	Central Political-Legal (Affairs) Commission (PRC)
CPS	convenience police stations
CSBM	Central Muslim Spiritual Bard of Russia, also CDUM
CTO	counter-terrorist operation(s)
DLA	Dagestan Liberation Army
DPI	deep package inspection
DUMD	Dagestani Spiritual Board of Muslims
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ETIC	East Turkistan Information Center
ETIM	East Turkistan Islamic Movement
FAPSI	Federal Agency for Government Communications and Information (Russia)
FATC	Federal Anti-Terrorist Commission (Russia)

FATF	Financial Action Task Force
FBS	Federal Border Service (Russia)
FH Index	Freedom House Freedom in the World Index
FSB	Federal Security Service (Russia)
FSO	Federal Protection Service (Russia)
FT	Financial Times
FTP	federal targeted program
FZ	Federal Law (Russia)
GR	Government Resolution (Russia)
GRU	Central Military Intelligence Directorate (Russia)
GTD	Global Terrorism Database
GWD	Great Western Development (PRC)
GWF	Barbara Geddes, Joseph Wright & Erica Frantz (2012)
GWOT	Global War on Terror
HRW	Human Rights Watch
IAC	Islamic Association of China
IATC	Interdepartmental Anti-Terrorist Commission (Russia)
ICG	International Crisis Group
IHL	International Humanitarian Law
IIB	International Islamist Brigade
IJOP	Integrated Joint Operations Platform (PRC)
IK	Imrat Kavkaz (Caucasus Emirate)
IMU	Islamic Movement of Usbekistan
JCRDR	Jane's Country Risk Daily Report
JDW	Jane's Defence Weekly
JFR	Jane's Foreign Report
JIR	Jane's Intelligence Review
JIW	Jane's Intelligence Weekly
JTIM	Jane's Terrorism & Insurgency Monitor
JTSM	Jane's Terrorism & Security Monitor
JTWR	Jane's Terrorism Watch Report
JWIT	Jane's World Insurgency & Terrorism
IS	Islamic State
ISC	Information Security Concept
ISP	Internet service provider
JAN	Jabhat al-Nusra
KGB	Soviet Committee for State Security
LOACs	Laws of armed conflict
M-PEA	multiparty electoral autocracy/ies (Wahman et al. 2013)
MCV	Mill's (1843, 470-473) Method of Concomitant Variation
Memorial HRC	Memorial Human Rights Center

MO	Ministry of Defence (Russia)
MOD	Ministry of Defence (PRC)
MOD	Mill's (1843, 454-463) Method of Difference
MOOTW	military operations other than war
MPS	Ministry of Public Security (PRC)
MSS	Ministry of State Security (PRC)
MVD	Ministry of Internal Affairs (Russia)
NAK	National Anti-Terrorist Committee (Russia)
NCFD	North Caucasus Federal District
NCTWCSG	National Counter-Terrorism Work Coordination Small Group (PRC)
NCTWLO	National Counter-Terrorism Work Leading Organ (PRC)
NORMS	Organisation of Russian Muslims
NPC	National People's Congress (PRC)
NSC	National Security Commission (PRC and Russia)
NSC (2000)	National Security Concept (2000, Russia)
NSS (2009/2015)	National Security Strategy (Russia)
O-PEA	one-party electoral autocracy/ies (Wahman et al. 2013)
OBL	Osama Bin Laden
OBOR	One Belt One Road Initiative
OMON	Special Purpose Police Units (Russia)
ORB-2	Operational Investigative Bureau No. 2 (MVD, Russia)
ORT	<i>Obshchestvennoye Rossiyskoye Televideniye</i> (Russian Public Television until 2002)
PACE	Parliamentary Assembly of the Council of Europe
PAP	People's Armed Police (PRC)
PD	Presidential Decree (Russia)
PFLP	Popular Front for the Liberation of Palestine
PIRA	Provisional Irish Republican Army
PLA	Palestine Liberation Army
PLA	People's Liberation Army (PRC)
PRC	People's Republic of China
PSB	Public Security Bureau (PRC)
PSBCT	Public Security Border Control Groups (PRC)
RAS	Riyad-as-Saliheen ("Gardens of the Righteous")
RFA	Radio Free Asia
RFE/RL	Radio Free Europe/Radio Liberty
RIC	Russian Information Center
RMC	Russian Muftis Council
ROC	Russian Orthodox Church
Rossgvardia	National Guard Service (Russia)
RRA	Regulations on Religious Affairs (PRC)

RT	Russia Times
RuNet	Russian Internet
SARA	State Administration for Religious Affairs (PRC)
SBM	Spiritual Board(s) of Muslims (Russia)
SCMP	South China Morning Post
SCO	Shanghai Cooperation Organization
SCTIC	State Counter-Terrorism Intelligence Center (PRC)
SFC	Structured Focused Comparison following George ((1979) 2019) and George and Bennett (2005)
SOBR	Special Rapid Response Units (Russia)
SORM	System of investigative measures (Russia)
SVR	Foreign Intelligence Service of the Russian Federation
TIP	Turkestan Islamic Party
TSE	Terrorism, Separatism and Extremism (Three Evils, PRC)
UNHRC	United Nations Committee for Human Rights
UNOHCHR	United Nations Office of the High Commissioner for Human Rights
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UFWD	United Front Work Department (PRC)
VK	Vilayat Kavkaz (local IS detachment, Russia)
WTH	Michael Wahman, Jan Teorell & Axel Hadenius (2013)
WTO	World Trade Organization
WZB-Model	Model to explain the stabilisation of authoritarian rule developed at the Wissenschaftszentrum Berlin (see e.g. Gerschewski 2013)
XPCC	Xinjiang Production and Construction Corps, also Bingtuan (PRC)
XRRA	Xinjiang Regulations on Religious Affairs
XUAR	Xinjiang Uyghur Autonomous Region
XWF1	First Xinjiang Work Forum 2010
XWF2	Second Xinjiang Work Forum 2014

## Commonly used non-English phrases

<i>adat</i>	Local honour code in prevalent in Cechnya (russ.)
<i>fanghuiju</i>	XUAR campaign since 2014 (chin.)
<i>jamaat</i>	Small movement (arab.), in the North Caucasus referring to networks thereof
<i>jihad</i>	Form of religious struggle (violent or non-violent) in Islam (arab.)
<i>hajj</i>	Islamic pilgrimage to Mecca (arab.)
<i>halal</i>	Permissible behaviour, including dietary, in Islam (arab.)
<i>maddhab</i>	School of Islamic theology (arab.)
<i>madrassa</i>	Islamic religious school (arab.)
<i>minzu</i>	National/ethnic group (chin.)
<i>mujaheddin</i>	Fighters of Jihad (arab.)
<i>ningjuhua</i>	An ethnic homogenisation policy (chin.)
<i>Neidi</i>	China proper (chin.)
<i>Pitersy</i>	Network of former colleagues and confidantes of Putin from St. Petersburg (russ.)
<i>Power Vertikal</i>	System dominated by the executive after the centralisation of power (Russia)
<i>profuchet</i>	Preventive registration of religious extremists (russ.)
<i>ronghe</i>	A type of assimilation-oriented ethnic policy (He, B. 2004; chin.)
<i>siloviki</i>	Ministries surviving from the Soviet period, or officials thereof: FSB, KGB, GRU, SVR, Federal Drug Control Service (russ.)
<i>tunken</i>	Historical Chinese system of border defence through settlement (chin.)
<i>ummah</i>	Community of Muslims at large (arab.)
<i>vilayat</i>	Governorate or province of an emirate or caliphate (arab.)
<i>xiehui</i>	Officially recognised religious organisations in China (chin.)
<i>yanda</i>	Strike hard (campaign, chin.)
<i>zachistki</i>	Cordon and search operations (russ.)



## List of commonly cited concepts and their sources

<b>Term / Concept / Indicator</b>	<b>Most relevant source(s) and section where discussed</b>
<i>Armed conflict/war model</i>	e.g. Crelinsten (1978; 1998; 2002; 2014), Crelinsten and Schmid (1992): II.3.3
<i>Audience costs</i>	Weeks (2008) based on Fearon (1994), Conrad et al. (2014): II.2.3, II.4.3
<i>Collective punishment/guilt/responsibility (Russia)</i>	Souleimanov and Aliyev (2015; 2016), Souleimanov (2017): III.6.4, III.8
<i>Conciliation (related to conciliatory counter-terrorism)</i>	Term used e.g. in Crelinsten and Schmid (1992), Sederberg (1995), Bhoumik (2005) and Bueno de Mesquita (2005): cf. II.3.4
<i>Criminal justice model</i>	e.g. Crelinsten (1978; 1998; 2002; 2014): II.3.3
<i>Crisis tendencies</i>	Beetham (2013): II.5.3
<i>Criteria of legitimate power</i>	Beetham (2013): II.5.3
<i>Cultural turn (Russia)</i>	Robinson (2018), Sakwa (2013): III.3.4
<i>Demobilisation of dissent</i>	Beetham (2013), Holbig (2011b; 2013): II.5.3
<i>Due performance, criterion of legitimate power</i>	Beetham (2013): II.5.3, II.5.6
<i>Electoral autocracies / O-PEA / M-PEA</i>	Hadenius and Teorell (2007), Wahman et al. (2013): II.5.2
<i>Electoral mode of consent</i>	Beetham (2013): II.5.3
<i>Ex negativo definition</i>	Albrecht and Frankenberger (2010b; 2011): II.4.3
<i>Exclusive responsiveness</i>	Albrecht and Frankenberger (2010b): II.5.5
<i>Expanded criminal justice model</i>	Pedahzur and Ranstorp (2001): II.3.3
<i>Expressed (=performative) consent</i>	Beetham (2013): II.5.3
<i>Inner sanctums (first institutional trenches)</i>	Gandhi and Przeworski (2007), Gandhi (2010), Cheibub et al. (2010): II.5.5
<i>Functional alternatives</i>	Albrecht and Frankenberger (2010b) based on Parsons (1951): II.4.3.5
<i>General interests</i>	Beetham (2013): II.5.3, II.5.6
<i>Governance by infrastructure (IT, Russia)</i>	Ermoshina and Musiani (2017), based on DeNardis and Musiani (2016): III.4.4, III.7
<i>Ideational governance</i>	Klimeš (2018): III.7.4
<i>Ideational-identitarian argument pattern</i>	Kneuer (2017): II.5.7

<i>Infrastructural power</i>	Mann (2008), Lambach and Göbel (2010), Soifer (2008): II.5.5, II.5.8
<i>Institutional capacities/state capacity</i>	Fjelde (2010), Wilson and Piazza (2013): II.4.4, II.5.5, II.5.9
<i>Intelligence model</i>	Bhoumik (2005): II.3.3
<i>Legal validity/rule conformity as criterion of legitimate power</i>	Beetham (2013): II.5.3
<i>Legitimacy crisis/deficit</i>	Beetham (2013), Holbig (2006; 2011b; 2013), Holbig and Gilley (2010), Zhao Dingxin and Yang (2013): II.5.3.3
<i>Legitimacy-in-context</i>	Beetham (2013): II.5.3
<i>Mobilisation mode (of consent)</i>	Beetham (2013): II.5.3
<i>Normative validity/rule justifiability as a criterion of legitimate power</i>	Beetham (2013): II.5.3
<i>Political access (school of thought)</i>	Eyerman (1998): II.3.5
<i>Political parallelism (indicator for governmental discursive power)</i>	Jungherr et al. (2019) based on Hallin and Mancini (2004): II.5.8
<i>Popular sovereignty</i>	Beetham (2013); see Holbig (2013): II.5.3, II.5.7
<i>Primary, secondary, tertiary prevention</i>	El-Mafaalani et al. (2016): II.3.6
<i>Regulatory environment: indicator for governmental discursive power</i>	Jungherr et al. (2019): II.5.8
<i>Relative deprivation</i>	Gurr (1970, in TTSRL 2008b): II.2.4
<i>Responsiveness</i>	Lambach and Göbel (2010): II.4.3, II.5.5
<i>Rightful authorisation/acquisition of power (=rule conformity/legal validity)</i>	Beetham (2013): II.5.3
<i>Rule justifiability (= normative validity)</i>	Beetham (2013): II.5.3
<i>Self-closure</i>	Beetham (2013): II.5.3, II.5.7, II.5.8
<i>State Socialism/state-socialist model</i>	Beetham (2013); II.5.3.
<i>Structural counter-terrorism</i>	Term adopted from Schneckener (2006) but used with a narrower meaning: II.3.5-6
<i>Substitution effect</i>	Eyerman (1998), Sandler et al. (1983): II.2.2, II.3
<i>Virtuous circle</i>	Schmelzle (2011), Schmelzle and Stollenwerk (2018): II.5.3, II.5.6



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# I INTRODUCTION



## I.1 Introduction

### I.1.1 Research subject

In the terrorism literature, there exists the assumption that authoritarian governments uniformly and exclusively counter terrorism through the use of force (Wilson and Piazza 2013, 941). Terrorism scholars including Max Abrahms (2007, 249-250), Erica Chenoweth (2006, 7), Li Quan (2005, 5-6) and Konstantin Ash (2016, 116-117) propose that because they are not legitimated via ideal democracy-type popular elections, they are insensitive to popular grievances and therefore can and do apply lavish coercion to counter terrorism.<sup>1</sup> Autocratic counter-terrorism is attributed the characteristics of low casualty sensitivity, lack of moral restraint, superior intelligence capabilities as well as habitual and unrestrained coercion.<sup>2</sup> These paradigmatic attributions (hereinafter, the Paradigm) are maintained even in the most recent literature on terrorism and counter-terrorism<sup>3</sup> despite the fact that the Paradigm is problematic on several grounds: conceptual, logical, statistical. Conceptually, as pointed out by Wilson and Piazza (2013, 941-942), its weaknesses lie in the construction of autocracy as a residual category of systems in contradistinction from a minimalist procedural definition of democracy, for instance, by Cheibub et al. (2010, 72) – a conceptual issue comparativists have grappled with for decades (Albrecht and Frankenberg 2010b, 38; hereinafter the residual category definition problem). Inferentially, it is puzzling how such conceptualisation should permit for the assumption that autocratic governments are not responsive at all and, by extension, illegitimate – both in general as pointed out by comparativists (e.g. Lambach and Göbel 2010, 79, 87-88) and in the context of terrorism and counter-terrorism (e.g. Conrad et al. 2014). Statistically, even if the conceptual problems would not logically forestall deducing the characteristics of authoritarian counter-terrorism from democratic counter-terrorism, the empirical basis for such conclusions is weak since the assumption of “democratic restraint” itself is far from being confirmed (Lyll 2010b, 169).

For these reasons, the present dissertation undertakes to challenge the prevailing paradigm. Given that most research on democratic counter-terrorism is almost obsessed with responsiveness-created legitimacy as a factor of variation in counter-terrorism strategies, and inspired by Wilson and Piazza’s (2013, 942) suggestion that counter-terrorism policy choice “depends on existing institutions and domestic sources of support for the regime”, I explore whether (re)sources of legitimacy in authoritarian systems are sources of variation in their counter-terrorism strategies, too, i.e. focussing on the part of their suggestion which they do not follow up on. Comparativist research and Beetham’s (2013) Theory of the Legitimation of Power suggest this might be fruitful. They show that the process and norms involved in

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<sup>1</sup> That was also the basis for my comparative legal research project (Korte 2018a; 2018b; 2019b).

<sup>2</sup> (e.g. Abrahms 2007, 249-250; Bogaards 2018, 2; Li, Quan 2005, 5-6; Pape 2003, 349-350; Pokalova 2013, 281-283; Zhukov 2007, 461; II.4.2).

<sup>3</sup> (e.g. Bogaards 2018, 2; Ghatak et al. 2019, 443-444; Magen 2018, 116; Saygili 2019, 474).

democratic governments' legitimation are both too unique and too universal to infer the oppositionality of autocratic governments and that the latter still seek and generate responsiveness and legitimacy in a manner that should be relevant to counter-terrorism, possibly only by other means.

### **I.1.2 Research aims**

Based on the existence of said unconvincing Paradigm, this dissertation has two goals. The first is to refute the Paradigm regarding homogeneity and deterministic application of force in authoritarian counter-terrorism (theory-testing goal). The aim is to show that the assumed deterministic causal relationship between assumed homogenous systemic features – lack of responsiveness, illegitimacy, assumptions documented for the larger Terrorism Studies field by Aksoy et al. (2012, 823) – and uniformly coercive counter-terrorism strategies, as indicated by Wilson and Piazza (2013, 941), does not hold. The second (heuristic) goal is to explore the origins of some of the variation in authoritarian domestic counter-terrorism strategies in reference to autocracies' (re)sources of legitimacy.

The method chosen is the “structured focused comparison” (SFC) of two cases following George ((1979) 2019) and George and Bennett (2005). It is suitable here because it permits for a more thorough investigation of the relationship between authoritarian legitimacy and counter-terrorism than statistical methods, solving large-N problems of reliability and validity through close-up investigation. SFC permits both theory-testing (George (1979) 2019, 201-204 quoting Eckstein 1975, calls this a “plausibility probe”) and the heuristic identification of new explanations in one design, including such that differ epistemically because of what George ((1979) 2019, 192) acknowledges as the method's dual historicist and political science foundations. Moreover, George ((1979) 2019, 203) provides a solid guide to ensuring analytical rigour in comparison, which Lijphart (1971) does not, whereas Mill's (1843) criteria are commonly acknowledged to be extremely rigid<sup>4</sup> so that they are hardly satisfiable in my study.

## **I.2 Research design**

### **I.2.1 Selection of method**

#### **I.2.1.1 “The comparative method” and SFC**

Following Lijphart (1971, 682), four principal scientific methods are typically recognised, which he calls “experimental, statistical, and case study methods” and “the comparative method”. With a view towards the units of analysis (states) and the phenomenon (terrorism), an experimental design is not possible. The statistical method predominant in existing large-N studies of counter-terrorism would incur the standard large-N problems of conceptual inadequacy, over-aggregation, reporting bias and lack of attention to context (see, for instance Pokalova 2013, 280; or Ucko 2015, 6 in the COIN-context) and is thus ill-suited here. A single

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<sup>4</sup> (Mill 1843, 456-463; see Bennett 2004, 31-32; George and Bennett 2005, 155; Lijphart 1971, 688).

crucial case study of an autocracy engaging in non-coercive counter-terrorism would suffice to rebut the Paradigm but not contribute much to theory development. Comparison of two cases can, following Collier (1993, 106), Hönnige (2007, 223) and Lijphart (1971, 684-685), be considered to strike an adequate balance between depth of analysis and generalisability. Noteworthy benefits of comparison for my study are those that George and Bennett (2005, 19-22) generally consider as such: conceptual validity is high in comparison to statistical methods, and new hypotheses can be explored heuristically. Both are feasible due to the problems with the authoritarianism concept prevailing in Terrorism Studies and the Paradigm's deterministic line of argumentation. Although insights developed in such a small-n design inevitably score low on generalisability, careful selection of a particular comparative technique, variables and cases can increase the validity of findings and make the project a valuable heuristic contribution nonetheless. Following George ((1979) 2019, 192-199), SFC strikes a balance between the thick description of a case study (the "historical method") whose strength lies in shedding light onto specific relationships between variables and the analytical and methodological rigour of scientific behaviourism. He argues that SFC is particularly well-suited for "what Eckstein calls heuristic and plausibility probe case studies and using them as building blocks for theory development" (George (1979) 2019, 204).<sup>5</sup> These are promising pertinencies for my research goals with the first being theory-testing and the second heuristic, jointly working towards the construction of a small-range theory - what George ((1979) 2019, 210) refers to as "rich, differentiated theory".

#### 1.2.1.2 SFC

The qualifying characteristics of SFC are *structure*<sup>6</sup> and *focus*. *Structure* is attained by "asking a set of standardized, general questions of each case, [...] developed to reflect the research objective and theoretical focus of the inquiry" (George and Bennett 2005, 69). In accordance with George and Bennett's (2005, 69-70) elaborations, adhering to those questions as a grid for analysing the two cases introduces a notion of methodological rigour to my qualitative analysis that might otherwise be attained only through operationalisation and measurement along quantitative statistical indicators. *Focus* pertains to the selection of cases and analytical focus on those aspects that are relevant to the research interest (George (1979) 2019, 200, 205; George and Bennett 2005, 79). These criteria permit a narrow focus on the theory-testing

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<sup>5</sup> Following George ((1979) 2019, 203), this makes SFC a mixture of what Lijphart (1971, 691-692) describes as "hypothesis-generating", "theory-confirming" and "theory-infirmiting case studies" or what Harry Eckstein (1975, quoted in George) identifies as "heuristic" and "plausibility probe" studies.

<sup>6</sup> A note on typography, citations and footnotes in this dissertation: Where *concepts* are discussed or defined, they are placed in parentheses. Parentheses are also used for *non-English terms* and *emphasis*, and where the term or indicator, criterion or model are borrowed from other scholars. In the opening section, there is a list of the most common indicators, criteria and models with their original authors with reference to my concept introduction in-text. To avoid misattribution, the original author is referenced again each time the term is first used in a subsection but omitted thereafter. Designations taken from other sources and not frequently referred back to are set in quotation marks. Some parts of the text contain many references; where the source/reference list is longer than four items or one line, I use footnotes.

goal and consideration of epistemically different explanations for the variation encountered without having to a priori identify all causally relevant variables for the heuristic goal. The latter would be inconsistent with the overall non-mechanistic approach to studying (re)sources of legitimacy in authoritarian systems (the heuristic goal). For case selection, this means identification of the universe of cases in respect of the phenomena of interest and selection based on *variety* rather than representativeness because my goal is conditional not maximum generalisation (George (1979) 2019, 205, 211). The concepts used for case selection are developed in part II. Accordingly, the case selection is explained in detail at II.5.3 following an outline of how the methodology is suitably applied to meet the project's theory-testing and heuristic goals.

As for epistemology, while the causal mechanism assumed in the literature is rooted in scientific behaviourism, some of the alternative origins of policy variation relating to legitimacy I propose for the heuristic part are situated more in the constructivist part of the spectrum. I consider the combination of behaviourist and constructivist ideas and concepts a strength of my analysis rather than an epistemic deficit because the project demonstrates the relative explanatory utility of integration, as also pointed out by Omelicheva (2007, 384) who has nonetheless struggled with this (II.4.4.3). The combination requires care with causal mechanistic terminology (cause, effect, correlation) and reliance on a less epistemically charged lexicon to indicate that observations on X and Y may be related. It also requires modesty regarding construct validity. It means that the resulting theory is not fully causal. Instead, it will contain aspects of relationality such that legitimacy (re)source  $x_n$  is or comes with (a) condition(s) that promote or restrain the adoption and/or implementation of counter-terrorism model  $y_n$ . There may be the odd finding of a causal relationship between  $x_n$  and  $y_n$  that can be abstracted beyond the cases. Yet, based on the design – two cases, *variety* rather than *representativeness* as criterion of case selection following George ((1979) 2019, 205, 211) and absence of a full account of all other potential causes, summarily inducing spuriousness – the causal relationships likelier to be found are idiosyncratic. Meanwhile, the project's second most important outcome is the identification of (re)sources of authoritarian legitimacy whose generic role in accounting for variation in authoritarian counter-terrorism can be explored in the future. Here, George's version of SFC is so suitable because it does not subscribe to the epistemic superiority of scientific behaviourism but instead seeks to reconcile it with the historicist method (George (1979) 2019, 192-193).

## **1.2.2 Application of SFC in this dissertation**

### **1.2.2.1 Theory-test of the existing paradigm**

For theory-testing within SFC, George ((1979) 2019, 204 FN 227) suggests using Mill's "method of difference" (MOD; Mill 1843, 454-463). In general terms, my expectation is for variation on Y (counter-terrorism strategy, observations are  $y_n$ ) to be caused by variation on X



(authoritarian regime type). It is proposed that the wrongful assumption of homogeneity on X in the extant literature indicated, for instance, by Aksoy et al. (2012, 823) or Magen (2018, 113) has lent itself to inferring a deterministic homogeneity on Y. Wilson and Piazza (2013) – conspicuously close to Fjelde (2010) in the COIN context – already broke up this homogeneity with their investigation of “state capacity” and its indirect impact on the occurrence of terrorism via causing the choice of one of three types of counter-terrorism (*co-optation*, *coercion* or *both*). Yet, their investigation does not escape the residual category definition problem they criticise, retains a problematic determinism and their counter-terrorism indicators are not sufficiently multivariate (II.4.4.2).

For the theory-testing goal, cases could be selected based on their heterogeneity on Y to exclude similarities  $x_n$  on X as causes of variation on Y. They could also be selected based on similarity on X to conclude that if there is variation on Y, it cannot be attributed to  $x_n$  on X. Both are X-centric designs following Mill’s MOD or a “most similar case’ research design” (Bennett 2004, 30-32, quoting Przeworski and Teune 1970). Given that the Paradigm already suggests a point of (assumed) homogeneity on X that is (assumed to be) responsible for homogeneity on Y, selecting two cases based on (assumed) homogeneity on X makes for a “hoop test” following van Evera (1997, 31): if similarity of  $x_n$  on X is found to concur with similarity of  $y_n$  on Y, the Paradigm becomes a little more plausible; if they do not concur, it is validly falsified; this renders it a strong test. Mill’s MOD is suitable for the theory-testing part since the existing paradigm is formulated in causal deterministic language. Yet, since Mill’s methods are only applicable in a causal-theoretic context and with very strict additional criteria (Bennett 2004, 31-32; George and Bennett 2005, 155; Lijphart 1971, 688) they do not fit the heuristic part of my study.

For the theory-testing part following Mill’s MOD, two cases are selected with homogeneity on X according to the Paradigm’s conceptualisation of authoritarianism (actually, *civilian dictatorships* in Cheibub et al. (2010 hereinafter CGV)). Variation of  $y_n$  on Y is the expected outcome. The Paradigm is taken as refuted if, under assumed homogeneity, at least one state implements a non-coercive counter-terrorism model  $y_n$  and if the two implement different models  $y_n$  or at least differ qualitatively in the composition of submodels to a common model  $y_n$ . If one of the cases is found to implement models other than coercion, this can mean one of several things. It can mean that the capacity to use force does not deterministically incur its actual use or that presence or absence of a certain quality of elections do not have the assumed effect on either legitimacy, the capacity to or the decision to use force. It can also mean that the assumed general absence of responsiveness and legitimacy is a misconception. Either way, it means the assumed causal chain linking X and Y does not exist.

### **1.2.2.2 Heuristic part: identification of legitimacy-related sources of variation**

Although the fact of variation of  $y_n$  does not say anything about the causal mechanism preceding it other than it is not based solely on  $x_n$ , review of the literature on counter-terrorism and regime type suggests that legitimacy matters. Building on Wilson and Piazza's (2013, 942) and Aksoy et al.'s (2012, 823) recognition of the residual category definition problem in the Terrorism Studies field, I suggest that the reason why  $x_n$  cannot account for  $y_n$  is that CGV's regime typology contains misclassifications (what Sartori (1994, 20) calls "pseudo-classes") in both the primary and secondary categories. Further exploring Wilson and Piazza's suggestions, I find these to be induced by what comparativists like Albrecht and Frankenberg (2010b, 46; 2011, 26-27) recognise as the genuine difficulties associated with authoritarianism's "ex negativo definition" in contradistinction to a minimalist procedural democracy definition which is itself contestable in its definitional power.<sup>7</sup> In any case, the fact that CGV's primary category of *dictatorships* and the secondary category of *civilian dictatorships* are both residual renders that categorisation a problematic basis for inference (II.4.3). In the heuristic part of the investigation, I correct this issue by using Wahman et al.'s (2013; "WTH") authoritarianism concept. Their typology has the benefits of parsimony as well as entailing a notion of responsiveness in the primary, secondary and tertiary categories, which they attain by distinguishing according to the institutionalised "modes of accessing and maintaining political power" (Wahman et al. 2013, 20).

For the heuristic goal, too, the design has to be X-centric but now with known variation of  $y_n$  on Y. My focus is on those regime legitimacy-specific factors  $x_n$  on the X-side that may be responsible for the variation of  $y_n$  on Y. This requires departing from Mill's MOD, since the goal is not to exclude similarities on X as explanations of similarities on Y. Instead, I want to see whether a reconceptualisation and disaggregation of what the Paradigm has misclassified as homogenous cases on X can be related to the variation of  $y_n$  on Y. Reconceptualisation relates to WTH's *authoritarianism* concept; disaggregation relates to examining different sub-types of WTH's typology that are homogenous according to CGV.

My review of the state of research on democratic counter-terrorism exhibits a focus on electoral responsiveness as a) a source of legitimacy and b) a pressure point for the public to influence counter-terrorism policy (II.4.3.5, e.g. Chalk 1998, 374). Moreover, Aksoy et al. (2015, 462-463) find that autocratic accountability mechanisms exist and matter, and Wilson and Piazza (2013, 942) suggest to investigate the "existing institutions and domestic sources of support for the regime." It should therefore be instructive to investigate not only autocratic responsiveness (ibid 953) but also alternative sources of legitimacy and mechanisms of legitimation as potential sources of policy variation (II.4.3.6). I thus investigate responsiveness,

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<sup>7</sup> (e.g. Hadenius and Teorell 2005, 8-9, 15-18; Lauth 2010, 99, 110-111; Schedler 2002, 37).

performance, ideology, discursive power and co-optation as five (re)sources of authoritarian legitimacy that potentially play a role in policy variation. Observing the concomitance of variation on X (said five(re)sources of legitimacy  $x_n$ ) and variation on Y (characteristics *on coercive, conciliatory, communicative and structural counter-terrorism*  $y_n$ ) to identify potential sources of variation is logically similar to Mill's "Method of Concomitant Variations" (MCV, Mill 1843, 470-473; see Bennett 2004, 49). But because the causal mechanistic logic that underlies Mill's comparative methods and the conditions they require (I.2.2.1, e.g. Bennett 2004, 31-32) do not match both the conceptual underpinnings and ambitions of the heuristic part of my project, I refrain from using MCV despite the similarities.

In light of the heuristic goal of identifying new relationships between legitimacy and counter-terrorism repertoire, the universe of cases is defined as WTH's *autocracies*. Ideally, the overarching criterion of case selection of *variety* as proposed by George ((1979) 2019, 211) would be fulfilled by pairing, for instance, a *military* with a *multi-party electoral regime* (M-PEA). Yet, consideration of workload, policy-relevance and the goal of linking up to existing scholarship are arguments in favour of choosing two cases that are similar according to CGV for the theory-testing goal but differentiable according to WTH's criteria for the heuristic one. This is the case for the intersection of CGV's *civilian dictatorships* and WTH's *electoral autocracies* (Wahman et al. 2013, 29-30). Accordingly, out of that intersection, two cases are chosen that present two different subtypes of WTH's *electoral autocracies*. While they will thus differ institutionally in terms of responsiveness, they do not represent the entire possible spectrum of that variation. Additionally, there may be similarities and differences in their other legitimacy (re)sources, an important point for the heuristic goal.

### 1.2.3 Case selection

The universe of potential cases is defined as the entire class of *autocracies* in the WTH (2017) dataset. Reflecting the dual aims of testing the Paradigm's deterministic causal argument and conceptualisation of authoritarianism – using Mill's MOD within SFC (I.2.2.1) – as well as the heuristic goal – using SFC following George ((1979) 2019) and George and Bennett (2005) only (I.2.2.2) – two cases are chosen from that subset of WTH's *electoral autocracies* intersecting with CGV's *civilian dictatorship*, which covers two out of WTH's three *electoral* subtypes (II.5.2). The second criterion for case selection is the encounter of a similar type of terrorism from the spectrum of terrorism, namely currently Islamist terrorism (II.2.2). This limits the external validity of findings for other types of terrorism but reduces the likelihood that governments domestically counter terrorism differently because they encounter different types of terrorism. The resulting reduction in external validity is a reasonable trade-off for keeping that source of variation constant while reducing theoretical and data complexity.

In conformity with these criteria, the two cases selected for comparison are Russia between 1999 and 2018 and China between 1990 and 2018. According to Cheibub et al. (2010), Russia

has been a *civilian dictatorship* since 1991, while China has been coded as a *civilian dictatorship* since 1949, with the last entries for both states in 2008. Wahman et al. (2013; 2017) classify Russia as a *multiparty electoral autocracy* (M-PEA) since 1992 and China as *one-party electoral autocracy* (O-PEA) since 1972, with the last entries dating to 2014. The two states exhibit three more similarities, helpful for keeping additional explanatory variables constant. First, they share comparable ambitions as global political players (since 2001 also as part of the BRICS) on top of permanent membership in the UNSC. Secondly, in terms of territorial and population size, they range among the top nine countries in the world (Russia first, China third and China first, Russia ninth respectively).<sup>8</sup> Third, beyond the criterion of Islamist terrorism, the two terrorisms exhibit significant similarities in their roots in ethno-separatist movements and the gradual Islamisation of those movements (Bolt et al. 2008, 25-26) such that they are more appropriately characterised as motivated by what Juergensmeyer (1996, 4-5) calls “ethnic religious nationalism”.

The chosen period reflects the beginning of Russian counter-terrorism operations in Chechnya in 1999. For China, 1990 is set as a starting point because of the 1990 Baren uprising’s significance in the construction of Chinese counter-terrorism strategy. 2018 is chosen as a cut-off year because a long timespan is desirable in terms of charting the development of counter-terrorism variation. Both countries recently passed significant counter-terrorism laws (China in December 2015, Russia in July 2016) to be included in the analysis, but the requirement to conclude the dissertation at some point makes 2018 an adequate compromise for cut-off.

#### 1.2.4 Sources

Given the qualitative nature of this research project, the fact that some states can be a hostile environment for qualitative investigative research and problems with various types of so-called “reporting bias” (Drakos and Gofas 2006; 2007; II.4.3.2), I have done my best to combine a plurality of primary and secondary sources from a variety of backgrounds. The goal was to get a comprehensive and as balanced as possible view of the two counter-terrorism strategies and the legitimacy (re)sources that may play a role in their variation. Primary sources are various governmental and party documents (strategies, white papers, internal declassified, leaked), laws, news briefs and statements by politicians as well as statistics, each as provided by official Russian and Chinese sources, some of them in my own or third-party translation. Secondary sources include think tank publications, news, reports by human rights organisations and, of course, academia. Each of these types of sources comes with weaknesses which I have sought to mitigate by sighting different types of sources and triangulating information. With the primary sources (save for, to some extent, laws) one has to be mindful of the fact that

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<sup>8</sup> Pakistan is slightly larger than Russia in terms of population size and also classified authoritarian, but classification varies between military and civilian regimes over the years, and US/NATO interference would significantly complicate the analysis, so it is excluded.

politicians, governments and state institutions speak and publicise what they want to be heard, including potentially strategic narrative and various types of “reporting bias” (Drakos and Gofas 2006; 2007; II.4.3.2). Sometimes, strategies on paper differ significantly from their implementation, and statesmen may have incentives to whitewash or deny facts in interview. With think tank reports, I have mostly used publications by the Jamestown Foundation, a U.S.-based non-profit NGO with a solid academic reputation, which specialises in Russia, China, Eurasia and terrorism. Many of the media reports stem from Radio Free Europe/Radio Liberty (RFE/RL) for Russia and from Radio Free Asia (RFA) for China. According to information on their websites, both are funded by the US government. While they were originally established to bridge the capitalist-socialist divide, today, these media retain little of their original block mentality. I augmented them with Jane’s publications which are known to provide some of the highest quality open-source intelligence available. Human rights reports, such as those by Amnesty International (AI), Human Rights Watch (HRW) and countless regional organisations have to be evaluated mindful that their purpose is to indicate government’s human rights violations, not their compliance. While the data such organisations provide is an indicator of the types and magnitude of rights violations in the context of coercive counter-terrorism, they are only complementary to the dissertation’s goal because these reports do not yield much insight beyond the coercive realm. That gap is filled in recourse to academic research by area specialists and by social scientists who have focussed on the various specific issues treated within the wider context of autocratic systems, terrorism and counter-terrorism and legitimacy. With the academic sources, I have made a point of sighting publications by scholars from China, Russia and various other parts of the world to keep a balance. Summarily, these sources form a comprehensive body of qualitative primary and secondary data, including some statistical, which I examine in the SFC towards testing the Paradigm and exploring the influence of legitimacy (re)sources in the two autocracies to account for the variation encountered.

### **I.3 The dissertation**

#### **I.3.1 Structure and expectations**

The dissertation is split into five parts. The theory part (II) outlines the theoretical underpinnings, discovers the theory-testing and heuristic goals and develops the conceptual tools for the comparison. To these ends, it first conceptualises terrorism as the backdrop against which counter-terrorism takes place and develops models of counter-terrorism. It then evaluates the literature on counter-terrorism and regime type and develops questions for the SFC with a focus on the relationship between legitimacy (re)sources and counter-terrorism strategies. These questions provide the SFC-characteristic *focus* required by George ((1979) 2019, 199-200, 205) by identifying the universes of phenomena and theories I use to describe the data in the empirical parts (III and IV) in a manner that George ((1979) 2019, 196, 201, following

Eckstein 1975) refers to as “disciplined-configurative”, making the cases comparable and usable for theory development. The theory part also develops the *structure* component of SFC required by George and Bennett (2005, 69-70) by identifying theoretical models of counter-terrorism (possible observations  $y_n$  on Y: different configurations of coercive, conciliatory, communicative and structural counter-terrorism) and potential sources of variation  $x_n$  on X (responsiveness, performance, ideology, discursive power and co-optation). Moreover, it combines the two in a way that permits sequential attainment of first theory-testing then heuristic goal.

The first set of questions asks whether and how the cases implement each of the four models in their counter-terrorism strategies. Comparison of the two cases exposes variation both in the degree of force used and in the case-specific combinations of models. I use Mill’s MOD to establish whether the Paradigm can be discounted based on the observed variation of  $y_n$  on Y. The second set of questions is devised to suggest how the different legitimacy (re)sources may be related to the policy variation encountered. Table 1 (also table 3 at II.5.10), visualises how each of the (re)sources is, based on review of the respective literature, expected to play a role in the configuration of counter-terrorism strategies by creating unique capacities or strategic preferences. Not all logically possible combinations of observations  $x_n$  on X and  $y_n$  on Y are listed or examined, only those that are reasonably plausible in view of the state of theories and research, linking back to George’s requirement of *focus*. Moreover, the case studies are studies of the strategies that are implemented so that I can only conclude that the particular strategy and choice of models encountered were possible. My models are neither constructed as mutually exclusive, nor will I be able to investigate whether other options existed that were not chosen or why that was the case.

**Table 1: Hypothesised key relationships between (re)sources of electoral authoritarian legitimacy  $x_n$ , vulnerability to terrorism and variation in counter-terrorism strategies  $y_n$**

	<b>Vulnerability to terrorism</b>	<b>Coercive counter-terrorism</b>	<b>Conciliatory counter-terrorism</b>	<b>Communicative counter-terrorism</b>	<b>Structural counter-terrorism</b>
<b>Responsive-ness</b>		X	X	X	X
<b>Performance Legitimacy</b>	X				
<b>Ideology</b>	X		X		X
<b>Discursive Power</b>				X	
<b>Co-optation</b>			X		X

As table 1 summarises, autocracies’ reliance on performance legitimacy and on ideology as sources of legitimacy are expected to raise their vulnerability to terrorism (II.5.6-7). System-

specific responsiveness is expected to create both unique capacities and strategic preferences across the counter-terrorism menu (II.5.5). The presence or absence of ideology is expected to influence the ability to choose and preference for or against conciliatory counter-terrorism models and certain structural ones (II.5.7). Governmental discursive power as a legitimacy resource is expected to be a unique asset in the choice and implementation of and preferences among the types of communicative counter-terrorism (II.5.8). Finally, the general institutional ability to co-opt potentially defecting elites (co-optation) is expected to correlate with conciliatory and certain structural models (II.5.9). Naturally, the questions and expectations for the heuristic part of SFC are more fine-grained than summarised here. Table 3 at II.5.10 below groups the questions for the theory-testing and heuristic goals into clusters in line with which the empirical parts (III and IV) are structured. The empirical parts (III and IV) do not repeat any of the questions but are structured to present the evidence in a space-saving and combined manner. The sequential logic of the theory-testing and heuristic tasks is only returned to in the case conclusions and the analytical part. In the analysis (V), the concurrences between (re)sources of legitimacy and specific characteristics of counter-terrorism strategies between the two cases are analysed to identify those (re)sources of authoritarian legitimacy that are conditions or come with conditions that facilitate or constrain the choice and implementation of or create a preference among the specific counter-terrorism models, i.e. (re)sources of legitimacy that condition variation in authoritarian counter-terrorism strategies.

### 1.3.2 Findings

Pertaining to the theory-testing goal, counter-terrorism strategies in Russia and China are found to differ in accordance with the two test requirements outlined at I.2.2.2 so that the Paradigm is rejected. Authoritarian counter-terrorism is neither uniform nor exclusively coercive, and it is not capacitated by a lack of autocratic legitimacy. Rather, both the vulnerability to terrorism as a factor influencing governmental resolve to fight it and the choice of counter-terrorism models are found to be, at least inter alia, conditioned by the regime-specific sources and resources of legitimacy.

The theoretical output pertaining to the role of legitimacy (re)sources in two types of systems characterised by Wahman et al. (2013; 2017) as an O-PEA and an M-PEA are the following. The presence of ideology as a source of legitimacy is found to constrain the choice of conciliatory, certain types of communicative and some of what I follow Schneckener (2006) in calling *structural counter-terrorism* models, specifically those that involve the recognition of alternative ideational constructs and ideas or their systematic representation in the system. Even absent a full-blown ideology, the presence and content of what Kneuer (2017, 183-191, 197) calls “ideational-identitarian argument patterns” are also found to raise vulnerability while facilitating the implementation of those very models which ideology constrains. Co-optation is found to facilitate the adoption of conciliatory and structural measures that involve the

devolution or sharing of power to alternative centres although the absence of those measures cannot be uniquely attributed to an absence of co-optive potential. As far as responsiveness and what I follow Albrecht and Frankenberger (2010b) in modelling as relationships of *exclusive responsiveness* are concerned, the latter concur with certain policy preferences, but it remains unclear whether they are also the cause of that variation. Governmental discursive power facilitates the choice and implementation of all types of communicative counter-terrorism. Yet, it is discarded as a source of policy variation because it is found co-dependent with counter-terrorism in that discursive power is leveraged in the course of counter-terrorism. Finally, performance legitimacy derived from catering to what Beetham (2013, 138) calls the *general interest of security* is found to be a motivator of counter-terrorism policy. So are ideology-contained performance goals of economic development and national unification in China (Korte 2016c; 2018a). On the one hand, it is difficult to discern the degree to which differences in those *general interests* or the systemic setup with respect to what Beetham identifies as the governments' differing ability to distance themselves from *performance failure* (II.5.3.4) are also the reasons for policy variation. On the other hand, the omnipresence of performance legitimacy and said *general interests* in the domestic terrorism and counter-terrorism discourses attests to the fact that, at the very least, both governments counter terrorism in order to retain legitimacy and seek to preserve it through as well as in the course of the counter-measures they take.



## **II THEORY**



## II.1 Introduction

Finding a catchy entrance for the theory part of a qualitative comparative social science dissertation is a challenge. There is no getting around the fact that the part's purpose is defined by the generic aims and purposes of a dissertation: filling a gap in scholarship and doing so in reference to relevant existing research, maintaining conceptual clarity and validity, choosing a method that is both simple and robust, conducting focused empirical research and wrapping it all up in an analysis that does not lose sight of the original research interest. Uncreative an entrance as that may be, the theory part takes on the first three tasks so that the empirical and analytical parts can fulfil the last two.

Section II.2 introduces terrorism as a phenomenon to provide the backdrop for developing four models of counter-terrorism (coercive, conciliatory, structural and communicative). These are based on terrorism's characteristics as a phenomenon, on what is known about the scope conditions of its genesis and decline (II.3) and on discussion and synthesis of previous modelling efforts. Section II.4 identifies the Paradigm and its components, raise logical, evidentiary and conceptual objections and evaluates alternative theoretical explanations for counter-terrorism strategies to identify responsiveness-generated legitimacy and legitimacy more broadly as factors of variation. At II.5, I describe concept-driven case selection based on an alternative conceptualisation of authoritarianism following Wahman et al. (2013; 2017) in more detail. I also discuss legitimacy in the context of what they classify as M-PEA and O-PEA more generally, partly drawing on Beetham's (2013) Theory of the Legitimation of Power. Subsections II.5.5 through 5.9 explore the state of research on what I call the five (re)sources of legitimacy (responsiveness, performance legitimacy, ideology, discursive power and co-optation) and formulate questions on how reliance on each one might be related to counter-terrorism to guide analysis and comparison of the cases.

While the questions guiding analysis and comparison are phrased in open terms to avoid confirmation bias and false causal claims, they contain two overarching arguments. First, I argue that these five (re)sources contribute to the legitimation of political power in the two authoritarian systems' standard modes of functioning. They therefore make for unique points of attack for terrorism (vulnerabilities) so that autocratic counter-terrorism does not happen in a legitimacy vacuum but is very much directed at maintaining legitimacy. The second argument is that these five (re)sources come with different systemic capacities that create a specific repertoire of counter-terrorism models which a government can choose from in designing its real strategy, aiding my account for variation between the two electoral autocracies' strategies.<sup>9</sup>

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<sup>9</sup> Note that in this argument, I follow the logic of Fjelde (2010, 198-204) and Wilson and Piazza (2013, 945-946, 951-953) pertaining to co-optation but in a less deterministic fashion than anticipated by these (II.5.9.3).

## II.2 Terrorism as a phenomenon

### II.2.1 Conceptualising and contextualising terrorism<sup>10</sup>

Definitions of terrorism abound and vary to the extent that stating one that most social scientists in the field of Terrorism Studies could agree to is a tedious and not very promising mission (e.g. Hoffman, B. 2017, chapt. 1; Schmid 2011a; Weinberg et al. 2004). While some definitional elements are common to most definitions – the use or threat to use violence, the targeting of innocent civilians (non-combatants) and the acknowledgement that violence (or its threat) is not the ends but only a means to attain higher strategic goals – matters of controversy include whether terrorism is a tactic or strategy, doctrine or practice, whether it is unique to sub-state actors and thus distinct from state terrorism and how important its psychological effects are.<sup>11</sup>

For my research project, there is no need to resolve the definition question as long as a definition is provided that clarifies who or what stands at the receiving end of counter-terrorism. I will thus limit my discussion of the concept to highlighting those aspects that are centripetal to my conceptualisation of counter-terrorism. These are not necessarily exhaustive or unique enough to define terrorism per se and in any other context. They may be characteristic of only a portion of what other scholars would consider to be terrorism or cover activities they would not subsume under the term. I consider such a loose conceptualisation not only possible but consequential to terrorism's complex nature, its embedment within a variety of contexts that differ as to their actors, means and motives – consider, for instance, the controversy over whether “insurgent terrorism” really is a form of terrorism<sup>12</sup> – but most of all, dictated by a need to focus my investigation. To those ends, I shall limit my conceptualisation of terrorism for the purpose of this investigation to involve the tactical use of violence or its threat against civilians, include an instrumentalisation of the ensuing climate of fear for the purpose of communication and originate from domestic sub-state actors in pursuit of political goals. The three most important elements in that conceptualisation are the rationality, strategic and political goal-orientation of the perpetrators, discussed at II.2.2, terrorism's tactical quality which is simultaneously instrumental at different levels and the special role that fear plays in this complex process (II.2.3). These are relatively generic by the standards found by Weinberg et al. (2004, 781) and Schmid (2011a, 86-87). They are the baseline characteristics which my four models of counter-terrorism (II.3) address in different ways. The domestic and sub-state actor components of my conceptualisation, by contrast, are conditions set to limit the scope of my investigation, meaning they are accessory to a generic definition of terrorism. The sub-

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<sup>10</sup> This subsection is expanded from parts of Korte (2015; 2016a; 2018a; 2018b; 2019a; 2019b).

<sup>11</sup> (Cf. Bjørgo 2005, 2; Ganor 2010; Merari 2007, 12-16; Schmid 2011a, e.g. 39; Shugart 2006, 9-10; Silke 2010, 2-3; Weinberg et al. 2004, 781).

<sup>12</sup> Cf. Byman (2016), Kilcullen (2009, 13-16), Merari (2007) and Ucko (2015), who argue that it is, whereas Boyle (2010), Exum (2000) or Rineheart (2010) argue that it is not, or Schmid (2011a) evaluates both types of responses to align himself with the former.

state actor component is in contra-distinction to what scholars refer to as “state terrorism” or “top-down terrorism” (Chaliand and Blin 2007, 6-7; Crelinsten 2002, 87; Sandler 2015, 3). This is of little relevance in the current context because a government does not logically adopt a counter-terrorism policy to weaken or eliminate itself. My second limitation is that terrorism be domestic as opposed to transnational or international, i.e. perpetrated either by foreigners or on foreign soil (Sandler 2015, 4-5; Wilkinson 2011, 6). This focus is warranted by the idea that counter-terrorism policy is likelier to be related to political legitimacy if the legitimating population is affected by both terrorist and counter-terrorist activity in the sense of the imposition of what Weeks (2008) and Conrad et al. (2014) conceptualise as *audience costs* (II.2.3.2). Moreover, governments can, aside from military interventions abroad, control only those components of counter-terrorism strategy implemented on their territory.

## II.2.2 Terrorism as a tactic of rational strategic actors and their goals

On exception from the contestation of different definitional elements mentioned above, terrorism is typically recognised and classified as one of many kinds of political violence and as having instrumental character.<sup>13</sup> Another common denominator is the understanding of terrorist groups as rational strategic actors. Following in the footsteps of early terrorism scholars like Crenshaw (1981, 385-390) or Sandler et al. (1983, 38-39), they are commonly assumed to rationally choose the most cost-efficient way of attaining their goals at a given time and place from a variety of options including non-violent means like propaganda, activism or civil disobedience and violent ones like sabotage, terrorism or various forms of warfare.<sup>14</sup> That assumption is a condition of my further theoretical elaborations at least when considering the findings of “substitution effects” between said types of activities by Sandler et al. and by Eyerman. Sandler et al. (1983, 39) find an adaptation in terrorists’ strategies following negotiations according to what they call a “budget constraint” model; Eyerman’s (1998, 153-154) “substitution effect” is embedded in the same model but covers a broader range of systemic factors that may incentivise the substitution of terrorist tactics with other means (see Sandler and Enders 2004). Those findings open many logical ways for governments to intercept terrorism through different counter-terrorism models.

Beyond these commonalities, there are plenty of ways to distinguish within the category: in addition to my scope-conditions of limitation to sub-state actors and domestic terrorism, they can be distinguished along their goals. There, Kydd and Walter (2006, 52) distinguish in terms of different types of effects that are generic or even heuristic in that they convey less about what groups want than about how they want it: “regime change, territorial change, policy

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<sup>13</sup> (e.g. Chaliand and Blin 2007, 5; Chenoweth 2013, 367, 373; Crelinsten 1978, 107; 2002, 83-86, 91-94; Kydd and Walter 2006, 56; Merari 2007, 13-16; Schmid 2011a, 70-77, 82-83; 2013, 13; Wilkinson 2011, 10).

<sup>14</sup> (e.g. Abrahms 2007, 227; Chenoweth 2013, 367, 373; Crelinsten 2002, 83-86, 91-94; Eyerman 1998, 152-153; Horgan 2005, 45; Merari 2007; Schmid 2011a, 70, 77-78; 2013, iv, 13-14; Sederberg 1995, 301-305; Shugart 2006, 11-13; Wilkinson 2011, 6-21; Wintrobe 2006, 170-176).

change, social control, and status quo maintenance.” Although they call these “ultimate goals”, they really are situated at the strategic rather than ultimate level. In my view, ultimate goals are, contrary to Kydd and Walter’s use of the term, better defined in terms of the larger idea that motivates them – what Rapoport (2004a) calls “energy” in his seminal Wave Theory. Condensing his waves from their historic conditions to the “energy” or goals, Parker and Sitter (2015, 198-199) develop the Strain Theory consisting of “*Nationalism, Socialism, Religious Extremism, and Social Exclusion*” (199). In some ways they merely reshuffle Rapoport’s theory and add the “social exclusion” strain, but their conceptualisation is preferable to his since, as the authors appraise, they admit ideas from each strain to persist across time and hybrids with characteristics of multiple strains (Parker and Sitter 2015, 199-201). I thus use their typology as an instrument for classification and chose Islamist terrorism – perpetrated by groups seeking to impose an Islamic political order – as a subset of their *Religious Terrorism* (Parker and Sitter 2015, 207-209) rather than as constitutive of Rapoport’s “Fourth Wave” (2004a, 61-65) as a criterion for case selection (I.2.3; II.5.2.3).

### II.2.3 Terrorism’s multiple instrumentalities

#### II.2.3.1 *Targets and fear-based communication*<sup>15</sup>

Having recognised terrorism as a rationally employed tactic that is embedded within larger strategies aimed at attaining the sort of ultimate goals discussed in the previous subsection, this subsection turns to how the tactic connects to these goals. There, the discipline’s founding fathers already worked with different levels of goals: Crenshaw (1981, 386) distinguishes “long-run goals” that diverge between groups from commonly shared “proximate or short-run objectives”. Jenkins (1974, 4) points to the differences between but also complementarity of “the tactics of individuals acts” and “the strategy of terrorism”. More recently, Wilkinson (2011, 8-9, 17-18) discerns “tactical gains” from “strategic impact”. Kydd and Walter (2006, 52) distinguish between “broader goals”, “more proximate objectives” and “specific goals”, while Schmid (2011a, 83) speaks of “primary”, “secondary” and “tertiary aim[s]”. The common denominator is that shorter-term or tactical goals are considered aligned towards and summarily instrumental to longer-term ones and that differences between groups on the latter do not preclude similarities on the former. Also, across those conceptualisations, attainment need not be sequential. Many of the shorter-term goals are contemporaneous and only indirectly instrumental, serving other functions first (see II.2.3.2).

A useful way to understand the various instrumentalities is to differentiate terrorism’s target audiences and how effects sought with each relate to the group as an organisation with shorter-term and ultimate goals. One distinction and terminology frequently encountered to

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<sup>15</sup> This subsection is partly based on my contribution to the *Third Young Researchers Workshop on Terrorism and Belligerency* at the MCRLEC Haifa (Korte 2019a). I am indebted to Alexandra Herfroy-Mischler and the participants for their valuable comments. It is also partly based on Korte (2017; 2018a; 2018b; 2019b).

illustrate those instrumentalities in the literature (for instance, already in J. Ross and Gurr (1989, 406)) is the one developed by Ronald Crelinsten. In his definition of terrorism, he identifies three types of targets: “the direct victims” who are attacked or threatened “in order to coerce compliance or to compel allegiance from a second set of targets (targets of demands) and to intimidate or to impress a wider audience (target of terror or target of attention)” (Crelinsten 2002, 83-84; see Schmid 2011a, 80-82). In his theory, the “targets of demands” are usually governments from whom terrorists seek to effectuate reactions or policy changes. “Targets of attention” are the public at large or an identifiable part thereof that can influence government behaviour through what Weeks (2008) and Conrad et al. (2014) conceptualise as *audience costs*. As a starting point, the excerpt indicates the generally instrumental link between the violence or its threat and political objectives. However, it does not convey that or to what substantial degree addressing the “target of terror” and the creation of fear with them are the indispensable link between violence (or its threat) and attaining those ultimate political or any other (strategic/tactical) objectives. Yet, that second link has long been recognised as the most important part of terrorism. Recognised scholars of terrorism like Crenshaw (1981, 379, 386-387), Chaliand and Blin (2007, 2), Chalk (1998, 373), Fromkin (1975, 686-688, 693), Bruce Hoffman (2017, 43-44, also in the 1998 original), Jenkins (1974, 2-4), Wilkinson (2011, 4, 17-19), Sandler (2015, 1), Silke (2010, 1), Schmid (2011a, 79-83, 87) or Shugart (2006, 10-12) all emphasise the terrorising component of terrorism in both the etymological and instrumental sense. A much-cited and, in my view, the best way of explaining the significance of Crelinsten’s *targets of terror* and the communicative dynamics underpinning and defining terrorism, is Jenkins’ (1974, 4) theatre analogy: “Terrorism is aimed at the people watching, not at the actual victims. Terrorism is theater.” An act of terror qualifies as “symbolic violence” or “propaganda of the deed”<sup>16</sup> not because of the fatalities or an isolated threat – what happens on stage. Rather, because of what, on the one hand, the act or threat and, on the other hand, its target symbolically stands for – what the theatre’s audience understands and is reminded of when it sees and hears the performance – and, in the second instance, what public discourse makes of it – what the audience talks about, keeps in mind and spreads afterwards.<sup>17</sup>

What happens at the level of the theatre’s audience or Crelinsten’s *targets of terror* is essentially a matter of communication or discourse. Beck (2008, particularly 29-36) points out that the strategic capacity of terrorism derives from how people’s subjective evaluations of its (statistical) risk flow into an intersubjective discursive construction of the matter. He argues that the latter is so overblown and more powerful than an individual act that the construction itself becomes an alternative catastrophe far worse than the potential one whose risk was discussed. Aspects of fear that play into this dynamic are its contagious nature and how it

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<sup>16</sup> (e.g. Crelinsten and Schmid 1992; Crenshaw 1981; Jenkins 1974; Perlinger 2012).

<sup>17</sup> (e.g. Crelinsten 2002, 84; Heath-Kelly 2015; Merari 2007, 31-35; Perlinger 2012, 505-510; Schmid 2011a, 63-64, 69, 79-80, 83).

clouds human risk perception (Posner 2002, 684-489). Leaning onto Schmid's (2011a, 79-80, 86) use of the term "threat-based communication" to capture how terrorism's physical or threat components trigger a process of communication, I refer to terrorism's reliance on the intersubjective construction of its own risk, fuelled by fear, as a form of "fear-based communication". That is the heart of terrorism's multiple instrumentalities: it connects physical action and communication to and through the different audiences with the attainment of various types of interconnected instrumental effects with each.

The media are a vital factor because they distribute information, channel attention and are a forum for the development of public discourse (e.g. Browne and Silke 2010; Wilkinson 2011, 149-154). The extant literature provides some, though disputed, evidence for a causal link between media coverage or free media as a systemic property and the occurrence of terrorism.<sup>18</sup> Yet, public and media demand for sensational news stories and supply of such coverage can be assumed to fuel each other (Hebestreit 2014, 206-208; Korte 2017, 28-29; Wilkinson 2011, 155). These effects are not new. Jenkins (1974, 4) and Crelinsten and Schmid (1992, 325-326) recognised them over 45 and 25 years ago. Yet, the speed with which discourse develops and creates an impact has accelerated with the advent and functional expansion of the internet, particularly social media, playing into further distorting popular perception of the magnitude of the risk and rendering both the discourse's dynamics and its impact yet less manageable for governments.<sup>19</sup>

Within Terrorism Studies, a constructivist branch explores symbolisms, signalling dynamics and propaganda effects. A core argument is that terrorism's threat to the functionality and legitimacy of the government or even political system in question lies in the way that the chaos created and the propagation of certain messages in its wake alter people's perceptions of the two (Heath-Kelly 2015; Perliger 2012, 505-510). This destabilises established norms underpinning the order that characterises, conditions and contains the existence and legitimacy of a certain political system (ibid). Even a positivist view admits what Merari (2007, 35-36) calls a "strategy of chaos" in which doubts about the efficacy and thus legitimacy of a government or political system in question are sown in the population through tactically disrupting government services or infrastructure. The connotations for the legitimacy of a government or political system are profound. They challenge its efficacy in providing security and upholding law and order – a point underlying even the most positivist notion of statehood (e.g. Jenkins 1974, 6; Merari 2007, 35-36).<sup>20</sup> It could be argued on strictly positivist grounds

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<sup>18</sup> (e.g. Browne and Silke 2010, 102-104; Li, Quan 2005, 4-5, 13-14; cf. Chenoweth 2013, 362-364; Drakos and Gofas 2006; Piazza 2015, 4, 6, 9).

<sup>19</sup> (e.g. Bowman-Grieve 2010; Browne and Silke 2010; Glasmacher 2014; Hebestreit 2014; Hermani 2014; Junk and Offermann 2014, 191-192; Korte 2017; Wilkinson 2011, 151-154).

<sup>20</sup> I have taken up this discussion in my legal project (Korte 2018a; 2018b; 2019a; 2019b) based on Davidson Gray (2017), D. Davis and Silver (2004), Donohue (2008), Gearty (2013; 2015), Gross (2001), Hardy and Williams (2011), Henschke and Legrand (2017), Laguardia (2016), B. Meyer (2002), C. Walker (2007), Wetzel (2011) or Zöller (2004).



and in reference to terrorism's physical impact only that the concept of chaos is so antithetical to that of order implicated in the term *political system* that the chaos created by terrorism physically jeopardises the defining characteristic of the system (order) even prior to discussions on symbolism, signalling or propaganda effects. That disorder, whether in the physical sense or in the psychological one encapsulated in the "climate of fear" (e.g. Wilkinson 2011, 4, 17-19; Schmid 2011a, 79-83, 87), can then be used to attain different types of impact by instrumentalising fear-based communication, risk construction and its effects.

### **II.2.3.2 "Audience costs", strategic and tactical goals and effectiveness<sup>21</sup>**

(How) do a climate of fear and fear-based communication help terrorists attain their goals? At the level of Crelinsten's *targets of demands*, the instrumentality of terrorism is best explained by the concept and mechanism of *audience costs*. Conrad et al. (2014) examine these in the context of terrorism in autocracies, building upon Weeks (2008) who in turn builds on the work of Fearon (1994). The logic captures how physical insecurity and the climate of fear effectuated by terrorist acts or threats can be mined to yield policy impact by affecting a constituency on whose support the government depends for survival (Conrad et al. 2014, 541-543; Weeks 2008, 35-37). Thus, terrorists' ability to inflict *audience costs* on a government depends on the government's accountability to those targeted or intimidated by terrorism (Conrad et al. 2014, 541-543). Typically, terrorism researchers claim that terrorism generates higher *audience costs* in democracies than in autocracies because voters can make their discontent known at the ballot box (ibid). These scholars also assume that popular elections for executive office are an exclusive mechanism for transmitting public opinion into policy and that autocratic governments are fully unaccountable and unresponsive to societal interests at large – a core assumption of the Paradigm shared by Abrahms (2007, 249-250), Konstantin Ash (2016, 116-117), Byman (2016, 63-64), Chenoweth (2006, 7), Li Quan (2005, 5-6) or Lyall (2010b, 168).<sup>22</sup> Yet, as Weeks (2008) and Conrad et al. (2014) show, autocrats' dependence on the support of elites introduces an alternative mechanism for the imposition of *audience costs*: if elites with the capacity to influence government behaviour are sufficiently affected or intimidated by terrorism, they will also force autocratic governments to change their policies. As a result, terrorists may attain either ultimate goals or strategic ones through employing terrorism.

Next to the imposition of *audience costs* on the government to elicit a certain type of reaction from that specific group (Crelinsten's *target of demands*), there are a number of other connected strategic or tactical objectives that terrorists may seek instrumentally, i.e. not for their own sake but towards more ulterior ones. Of those, three are particularly relevant as a baseline for my conceptualisation of counter-terrorism below: publicity, recruitment and

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<sup>21</sup> This subsection is partly based on elements from Korte (2017; 2018a; 2018b; 2019a; 2019b).

<sup>22</sup> Abrahms (2007, 227) and Lyall (2010b, 168) inter alia cite this idea as going back to Gil Merom's (2003) investigation of democracies' difficulties in mounting sufficiently brutal COIN campaigns.

organisational survival. An act of terrorism can first be claimed and used for public “advertisement of the cause.”<sup>23</sup> Based on this, political agenda-setting can be influenced or competitors – both legal and illegal ones – outbid (Chenoweth 2006, 10; Kydd and Walter 2006, 51). While publicity may in itself be a way to attract new members, acts of terrorism are also strategically useful for terrorists in a so-called “strategy of provocation” which subsumes the *audience cost* logic: it aims for the government to overreact, ideally using indiscriminate violence because the organisation can cash in on the alienating effects of governmental misdemeanour for recruitment.<sup>24</sup> While attracting members is one organisational interest, others that are conventional and typical for any organisation are loyalty, motivation, commitment, membership or trust.<sup>25</sup> Terrorist groups secure loyalty and coherence through the provision of incentives such as money, access to education and professional opportunities, social and medical services or paying compensations to the families of martyrs (Borum 2010, 30; Shugart 2006, 12), but according to Wintrobe (2006) also through the provision of “solidarity” or “belonging-ness”. Acts of terrorism are found to tactically support organisational functions in two ways. Borum (2010, 29-30) finds that planning and executing them keeps the organisation going and externalises attention, a point already raised by Crenshaw (1981, 387). Moreover, and as noted by, for instance, Merari (2007, 40-42) or Wilkinson (2011, 9-10, 17-18), where the payment of ransoms or political concessions are attained, these give the organisation ideational and material leverage to continue operations and show off success.

Having discussed the various ways in which the fear-based communication with and among different target audiences may be directly or indirectly instrumental to the attainment of various levels of goals held by terrorist organisations, we also have to consider the fact that the overall effectiveness of terrorism is not given. First and foremost, any appraisal of effectiveness depends on prior qualification as to what it is that terrorism is supposed to achieve. Abrahms (2006, 43, 54-56) devastatingly finds the 28 groups in his study to be “ineffective” with respect to their long-term goals precisely because they indiscriminately target civilians. As, for instance, Merari (2007, 39-40), Wilkinson (2011, 8-9, 17-18) and Cronin (2006, 25) point out, at that level, successful goal attainment is the exception rather than the rule, and most movements disappear unsuccessfully. At a lower level of objectives, Pape (2003, 351-352) finds that over half of the suicide operations cases he investigates were followed by significant concessions from the government. Limited strategic or tactical success are also relatively likely for provocation.<sup>26</sup> Yet, as Wilkinson (2011, 9, 18) also points out, these are instances of “tactical

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<sup>23</sup> (Crenshaw 1981, 386, quoting Thornton 1964; see Browne and Silke 2010, 90-95; Kydd and Walter 2006, 56; Rosendorff and Sandler 2010).

<sup>24</sup> (e.g. Blankenship 2018, 382-385; Bueno de Mesquita and Dickson 2007, 364-369; Chalk 1998, 386; Conrad et al. 2014, 540-541; Crelinsten and Schmid 1992, 311, 317; Crenshaw 1981, 387; Fromkin 1975, 687-688; Kydd and Walter 2006, 50, 69-70; Merari 2007, 34-35; Silke 2010, 4; Wilkinson 2011, 9; Wintrobe 2006, 177).

<sup>25</sup> (e.g. Borum 2010, 29-30; Gupta, D. 2005, 17-18; Sederberg 1995, 303-304; Shugart 2006, 12; Wintrobe 2006, 177-179).

<sup>26</sup> (Kydd and Walter 2006, 69-73; Merari 2007, 40; Silke 2010, 4; Wilkinson 2011, 9-10, 18).

gains”, at maximum “strategic impact”, what Abrahms (2007, 235) calls “combat effectiveness” or Gvineria (2009, 262-263) refers to as “partial success” (see Merari 2007, 40), not of ultimate goal attainment. Summarily, all of the scholars referenced in this paragraph agree that only in the rarest of cases do terrorist groups demobilise due to real success in attaining their long-term policy goals.

Then, as far as the relative effectiveness of the tactical or strategic application of terrorism is concerned, two things are noteworthy with a view towards counter-terrorism. First, tactical success does not necessarily lead to strategic or ultimate goal attainment (Wilkinson 2011, 198-200). On a sidenote, perceived success on the side of the terrorist groups is one – and only one - pathway out of terrorism (ibid). This raises the question what other ways there are for terrorism to end if not through success. Secondly, for all of the ultimate, strategic and tactical applications of terrorism discussed here, save for the unifying and attention-channelling organisational function of planning attacks (Borum 2010, 29-30), the tactical success of attracting publicity via the media, sparking fear and the risk discourse, is an indispensable condition (e.g. van Dongen 2009, 9-10; Wilkinson 2011, 152). Even where other ultimate, strategic or tactical goals are not met, the phenomena of fear and fear-based communication instrumentalised by terrorists remain, at least in the attempt of their production, constitutive and threatening characteristics of terrorism. That means they are worth conceptualising and tackling as part of counter-terrorism either towards denying that tactical success and its instrumentalisation in a fear-based communication towards the attainment of higher goals or to avoid terror even without further corollaries.<sup>27</sup> This is the logical entry point for what I refer to as *communicative counter-terrorism* (II.3.6).

## II.2.4 Terrorism’s rise and decline

### II.2.4.1 Conditions of radicalisation

In a similar fashion to how the previous subsection has summarised groups’ rationales in instrumentally employing terrorism and its communicative components as one backdrop for the conceptualisation of counter-terrorism, this subsection is concerned with the causes and conditions of the rise and decline of terrorism as additional points of attack or catalysis for counter-terrorism strategies. I follow Schmid (2013, 4-5) and TTSRL (2008a, 9-17) in understanding radicalisation into terrorism as the product of “a complex interaction between factors” analytically differentiable between the micro-level (individual), meso-level (organisations and peer groups) and macro-level (societal/politico-structural).<sup>28</sup> These may interact in various combinations and relations to facilitate radicalisation first into radicalism,

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<sup>27</sup>(e.g. Bowman-Grieve 2010, 85-86; Browne and Silke 2010, 105-108; Crelinsten 2014, 6; Crelinsten and Schmid 1992, 332-330; Perliger 2012, 506-509; Richards 2010, 186-188; Silke 2010, 1).

<sup>28</sup> My research focus does not require the further distinction of *permissive* and *precipitant* causes (Ross, J. 1993) or *preconditions* and *precipitants* developed by (Crenshaw 1981, 381), that are also common across the terrorism literature (e.g. Bjørgo 2005, 2-4; TTSRL 2008b, 6-7).

then extremism and potentially into terrorism, but not every radicalisation process ends in terrorism.<sup>29</sup> As a signifier for the process, *radicalisation* conceptually covers individuals as well as groups and is typically defined by a growing readiness to use violent over non-violent means in pursuit of one's goals.<sup>30</sup> Generally speaking, and despite an incommensurably large body of research, the complex of radicalisation and the genesis of terrorism is still characterised by insecurity, controversy or inconclusiveness of evidence and considerable scholarly debate.

At the macro-level, there is a plethora of conditions both too numerous and in their empirical substantiation not robust enough for an exhaustive list to be given here.<sup>31</sup> Among them, the *economic deprivation hypothesis*, which takes poor countries or subnational entities to be likelier sources of terrorism than rich constituencies, can be rejected.<sup>32</sup> Based on her own research (Krueger and Malečková 2003, 140) and a literature review, Malečková (2005, 37) also rejects an association between a specific religion and terrorism. Tense inter-ethnic cleavages or discrimination *based on* religious affiliation, as proposed by Crenshaw (1981, 383), however, are found to constitute genuinely conducive factors that provide individuals or groups with a reason to develop a sense of what Gurr (1970, 25, cited in TTSRL 2008b, 13-14) calls *relative deprivation* in comparison to others.<sup>33</sup> This can, in turn, either in itself motivate violence or be exploited by groups for purposes of recruitment and mobilisation.<sup>34</sup>

At the level of individuals, scholars summarily agree to reject psychopathological explanations.<sup>35</sup> Also as individual situational factors, poor education, religious affiliation or poverty are again rejected (Malečková 2005; Merari 2005, 75-76; Schmid 2013, 25). Research on individual radicalisation identifies many complex pathways, most of them understood as cumulative processes, but not any singular characteristics or individual traits rendering certain people more vulnerable to radicalisation, captured in Horgan's (2005, 50, 48-50) advocacy of "a process-based approach" (see Borum 2010, 20, 23; Schmid 2013, 20-28; TTSRL 2008a, 31). As part of the basis for that process, scholars point to rather generic human psychological

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<sup>29</sup> (McCauley and Moskalenko 2014a, 602-603; 2014b, 70-73; Moghaddam 2009, 280; Schmid 2013, 4-5, 11, 17, 21; TTSRL 2008a, 5, 9-17).

<sup>30</sup> For further distinctions between and discussion of definitions on radicalism, extremism, terrorism and the processes of radicalisation and recruitment, see, e.g. McCauley and Moskalenko (2008; 2014a; 2014b), Moskalenko and McCauley (2010; 2011), Schmid (2013, 4-18), Sedgwick (2010) or TTSRL (2008a, 10-14).

<sup>31</sup> (e.g. Brooks 2009; Ferguson 2010, 117; Ross, J. 1993, 320-326; Schmid 2013, 2-3; TTSRL 2008a, 15-35; 2008b, 15-19).

<sup>32</sup> (e.g. Crenshaw 1981, 390; Ghatak et al. 2019; Kis-Katos et al. 2011; Krueger and Laitin 2007; Kurrild-Klitgaard et al. 2006; Lai, B. 2007; Piazza 2007; TTSRL 2008a, 20-21, 67). Cf. Freytag et al. (2011) who generally find it confirmed, Blomberg et al. (2004) who find temporal variation on deprivation indeed a significant factor, Burgoon (2006) who finds welfare policies to have a reductive effect on transnational terrorism and Caruso and Schneider (2011) with mixed results depending on whether deprivation is understood as a retrospective or prospective factor in individual decision-making. My point on rejection primarily refers to the fact that the hypothesis does not seem to be consistently confirmable.

<sup>33</sup> (Ghatak et al. 2019; Gleditsch and Polo 2016; Piazza 2007, 162-164, 171; TTSRL 2008a, 29-30, 36-37, 68-69; 2008b, 14, 17-18).

<sup>34</sup> (ibid and also Crelinsten 2014, 9; Horgan 2005, 45; Schmid 2013, 26).

<sup>35</sup> (e.g. Abrahms 2007, 227; Borum 2010, 20; Brooks 2009, 770; Hoffman, B. 2017, 39; Horgan 2005, 48-49; Merari 2005, 76-78; Schmid 2013, 21; TTSRL 2008a, 31, 35-36).

needs and vulnerabilities such as “perceived injustice”, “need for identity” or “need for belonging” (Borum 2010, 20, quoting Borum 2004) that provide for susceptibility to certain types of ideas and explanations or draw us into the social interaction or discourse of groups, including extremist or terrorist ones.<sup>36</sup>

The meso-level structures the interaction between individual and structural factors (Schmid 2013, 4-5, 26-27; TTSRL 2008a, 17, 67-68). Wintrobe (2006) models how groups cater for individual needs. Dipak Gupta (2005, 17-19) analyses the role of terrorist groups or collectives in turning one or several of a multitude of individual grievances that exist due to what he calls “factors of structural deprivation” (i.e. environmental factors, similar to Gurr’s *relative deprivation*) and individual vulnerabilities, needs and interests into a rationale for participation. Other aspects of this interaction have been researched by Merari (2005, 78-80) to identify “indoctrination” and “group commitment” as individual-group relation factors contributing to suicide terrorism and by adherents to Social Movement Theory such as Wiktorowicz or Della Porta (Borum 2010, 22-23; Gvineria 2009, 281; Schmid 2013, 23-24). Importantly, as these contributions indicate and Byman (2017) shows, too, individuals rarely radicalise in total isolation; even so-called “lone wolves” develop their grievances and skills through social interaction and self-identification with a group (see e.g. Gartenstein-Ross and Barr 2016; Moskalenko and McCauley 2011). Meanwhile, as Schmid (2013, 8, 27, citing Ranstorp 2010, 7) points out, neither recruitment into terrorist organisations and radicalisation nor radical thought and terrorist violence in general are found to exhibit a clear causal or temporal relationship.

The upshot from this brief review of the relative inconclusiveness with which various causes and conditions of radicalisation into terrorism are discussed in the literature is that because we cannot definitively discern any causes of terrorism or radicalisation, it is also problematic to assume that the removal or addressal of any of these factors might in and of itself and generically suffice for an effective counter-terrorism policy.<sup>37</sup> Rather, the most promising path seems to be to analytically consider and strategically combine different means. These may include addressing conditions conducive to the development of what Gurr calls *relative deprivation* since these form a baseline for recruitment and mobilisation (not to be mistaken as sufficient causes of terrorism). I subsume these efforts under *condition-centric structural counter-terrorism* (II.3.5.2). Combined means may also include efforts that moderate the relative attractiveness or calculated revenue of terrorism as a tactic, based on rational choice assumptions and knowledge about its reliance on communication as discussed at II.2.3. I do

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<sup>36</sup> (see Browne and Silke 2010, 97-100; Gupta, D. 2005, 19-20; McCauley and Moskalenko 2008, 418-422; Schmid 2013, 20-28; TTSRL 2008a, 26-27, 30-37; Wintrobe 2006, 177-178).

<sup>37</sup> (Gvineria 2009, 280-281; Horgan 2005, 45; Schmid 2013, iv; TTSRL 2008b, 51-59).

that in my models of *coercive, conciliatory, communicative* and *process-based structural counter-terrorism* (II.3).

#### II.2.4.2 *Factors of decline*

Another logical way for conceptualising counter-terrorism options based on characteristics of terrorism and terrorist organisations is to identify factors in its/their decline that can be strategically influenced and catalysed by the state (e.g. TTSRL 2008b, 21-54). As a baseline, only a handful of organisations such as Hezbollah, the PFLP or PIRA have managed to survive and remain operationally active for several decades. By contrast, statistics provided by, for instance, Vittori (2009, 461-463) show that most organisations that use terrorist tactics subside much earlier than that, with an average life expectancy of four years, regardless of their political orientation.<sup>38</sup> Factors of decline or demobilisation are as heterogeneous as those of formation and radicalisation. For my counter-terrorism interest, it is useful to approach these by considering their susceptibility to governmental interference. This can be done by distinguishing group-internal or organisational from group-external or environmental factors.<sup>39</sup>

In their comparison of the decline of terrorism in Canada and the US, Jeffrey Ian Ross and Ted Robert Gurr focus on terrorist groups from the angle of organisational challenges. In their model, *deterrence* and *pre-emption* are external conditions created by the state (Ross, J. and Gurr 1989, 408-409). *Deterrence* raises the costs and risks of terrorist activity or joining terrorist organisations; *pre-emption* includes target hardening, imprisonment or killing of operatives to reduce their opportunities for activity, indirectly deterring further illegal violence (ibid). These are points picked up by my conceptualisation of *coercive counter-terrorism* at II.3.3. As group-internal factors, Ross and Gurr (1989, 409) identify *burnout* and *backlash* whereby the former “refers to members’ declining commitment to the group and its purposes”. With *backlash*, they refer to a decline in support among an organisation’s constituencies, for instance, if activities are too violent for moderates’ taste, resulting in difficulties to fund and sustain the organisation and its operations (ibid). Despite being a group-internal factor in their model, they already recognise that said internal conflict or defections they identify as signs of *burnout* are also components achievable by states’ counter-measures, most notably through “accommodations and reform” (409-410). The same ideas are independently proposed by Crelinsten and Schmid (1992, 309) and in Sederberg’s (1995) account of *conciliation* (II.3.4-5).

More recent research includes that of Cronin (2006), Gvineria (2009), Wilkinson (2011), Ferguson (2010) and TTSRL (2008b). They further investigate modes and factors of decline and suggest similar means of catalysing those mechanisms which Ross and Gurr coined as

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<sup>38</sup> (Vittori 2009, 461, 453, 464, citing Rapoport 1992, 1067 and 2004b, 1051; see Chowdhury and Fitzsimmons 2013, 448-449; Cronin 2006, 13).

<sup>39</sup> (Cronin 2006, 18; Ferguson 2010, 117-120; Ross, J. and Gurr 1989, 408; TTSRL 2008b, 21-28, 45-51).

*burnout* through state counter-measures. The first three find between six and eight modes of decline and agree on the most prevalent characteristics being what Gvineria (2009, 259) summarises as

1. Substantial Success [...]
2. Partial Success [...]
3. Direct State Action, Including Repression [...]
4. Disintegration Through Burnout [...]
5. Loss of Terrorist Leaders [...]
6. Unsuccessful Generational Transition [...]
7. Loss of Popular Support [...]
8. Emergence of New Alternatives.<sup>40</sup>

A common denominator in their analyses is, as in J. Ross and Gurr (1989), the interlocking character of internal and external factors (Cronin 2006, 18; Ferguson 2010, 117-120; TTSRL 2008b, 47-48). This is instructive for considering states to have a certain scope of influence on group-internal dynamics to abet decline. However, the causality in observed modes of decline is, as with the causality in terrorism's genesis, not proven (Gvineria 2009, 258, 279). Again as with radicalisation, individual and organisational pathways of disengagement are, though potentially related, distinct processes and their occurrence is not necessarily in the hands of the government.<sup>41</sup> Ferguson (2010, 121) and Schmid (2013, 29-31, citing Bjørgo and Horgan 2009, 28) also caution that changes in ideological orientation during either should not inform the expectation that violence is also about to decline or vice versa. Yet despite the absence of a definitive panacea, the organisational vulnerabilities and observed pathways of decline are recognised if not solely analysed to offer points of attack for counter-terrorism to catalyse internal organisational challenges (Cronin 2006, 10; TTSRL 2008b, 46-48). I build on that in my modelling of conciliatory counter-terrorism (partly following Sederberg (1995), II.3.4) and what I follow Schneckener (2006) in labelling "structural counter-terrorism" but conceptualise differently at II.3.5.

## II.2.5 Summary

This section has focussed on the phenomenon of terrorism as a logical precondition for efforts to counter it. It has outlined how rational sub-state actors use terrorism instrumentally to attain tactical, strategic or long-term goals (II.2.2). My review of the state of research on how what I have referred to as terrorism's "multiple instrumentalities" add goal attainment psychologically and communicatively (II.2.3) as well as on under what conditions terrorism rises and declines (II.2.4) sets the stage for modelling counter-terrorism in several ways: if counter-terrorism is to counter terrorism, as the term suggests for it to do, it has to address these specificities. One specificity that I further develop under communicative counter-terrorism (II.3.6) pertains to terrorism's reliance on fear and what Beck (2008, 31-36) explains as the intersubjective construction of risk and fear in public discourse as conditions of communication (III.2.3.1). A related way for counter-terrorism to intercept the functional logic of terrorism is to address the rational component of perpetrators' characterisation by manipulating the tactic's attractiveness

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<sup>40</sup> (see Cronin 2006, 17-32; TTSRL 2008b, 45; Wilkinson 2011, 198-200).

<sup>41</sup> (Crenshaw 2014, 561-562; Ferguson 2010, 117, 121; Moghaddam 2009; Wilkinson 2011, 198-202).

following the logic of “substitution effects” found by Sandler et al. (1983, 39) and Eyerman (1998, 153-154; II.2.2 above). This is relevant to all the counter-terrorism models I discuss below. Third, and despite the inability to pinpoint precise causes of terrorism and accordant futility of assuming that removing or addressing any of these might in and of itself and generically suffice for an effective counter-terrorism policy, structural conditions conducive to what Gurr coined as *relative deprivation* are nonetheless a worthwhile component of counter-terrorism since they indirectly prepare the ground for recruitment and mobilisation (II.2.4.1, e.g. Horgan 2005, 45). Finally, factors identified in the decline of terrorist groups (II.2.4.2, e.g. Gvineria 2009) can function as points of attack for *conciliatory*, *condition-centric* and *process-based structural counter-terrorism* to influence and catalyse group-internal developments towards decline (II.3.4-5).

## II.3 Counter-terrorism

### II.3.1 Overview

This section provides an overview of counter-terrorism as a concept and as an analytical category. I first discuss different options of defining and conceptualising counter-terrorism to arrive at a strictly etymological definition of the term that pays tribute to the comprehensive, manifold and often contradictory character of efforts undertaken (II.3.2). Subsections II.3.3 through II.3.6 introduce four models of counter-terrorism: *coercive*, *conciliatory*, *structural* and *communicative*. These are “model[s] of ‘reality’” in the sense of Geertz (1993, 93-94; II.3.2.1), that is conceptual lenses through which empirically observed counter-terrorism strategies, policies, measures and practices can be charted and analysed in the empirical section to explore variation in authoritarian counter-terrorism. In developing the four-fold model of models, I rely on a range of existing models by scholars with wildly differing ontological underpinnings. That mix-and-match strategy can be justified in view of the fact that as symbolic violence, terrorism is both violent *and* symbolic, meaning it is graspable in both behaviourist and constructivist terms, even necessarily so (e.g. Perliger 2012, 505-507). A comparably comprehensive conceptualisation of models to my knowledge only exists in Crelinsten (2014) which I partly rely on. While my models have many similarities with his conceptualisation of “coercive, proactive, persuasive, defensive and long-term [...] varieties of counter-terrorism” (Crelinsten 2014, 2), I beg to differ in at least four aspects: (i) in the omission of the temporal component that distinguishes his *coercive* and *proactive* varieties and the *long-term* (somewhat arbitrarily) from other *varieties*; (ii) in the systematic consideration of what Sederberg (1995) calls *conciliation* (my *conciliatory models*), omitted by Crelinsten; (iii) in the broader reconceptualisation of *communicative counter-terrorism* including and exceeding



parts of his *persuasive* and *long-term varieties* and of *structural-counter-terrorism*, including but exceeding his *long-term varieties*; and (iv) in the omission of the *defensive* category.<sup>42</sup>

I conceptualise *coercive models* of counter-terrorism as preventing or punishing terrorist activity through the use of force (physical and criminal justice), discussing Crelinsten's (e.g. 1978) *criminal justice* and *armed conflict models* as well as Pedahzur and Ranstorp's (2001) *expanded criminal justice* and Bhoumik's (2005) *intelligence model* (II.3.3). By *conciliatory models*, I refer to states' efforts to non-violently stop or prevent terrorism through concessions to, negotiations or rent-sharing with terrorist groups or portions thereof, based on an initial conceptualisation of "conciliation as a counter-terrorist strategy" undertaken by Sederberg (1995), distinguishing between *selective* and *collective conciliation* (II.3.4). Where my *conciliatory* models are similar to what Crelinsten and Schmid (1992, 309) call *accommodation*, my *structural models* – a term adopted from Schneckener (2006, 215-227: *strukturelle Terrorismusbekämpfung*) but with a narrower meaning – are the longer-term counterpart, more systematised and less group-specific. I distinguish *process-based (political-institutional)* from *condition-centric structural* policies and measures (II.3.5). Finally, under *communicative counter-terrorism* (to be distinguished from Crelinsten's *communication model*), I include *target-centric* and *actor-centric* communicative efforts of governments partly pertaining but not limited to terrorism's characterisation as a form of communication that instrumentalises fear and risk construction (II.2.3).

## II.3.2 Definitional aspects

### II.3.2.1 Defining counter-terrorism

*Counter-terrorism*, much like terrorism, is a concept whose definition varies to a great extent.

Examples of academic definitions are for it to involve:

- the use of a broad spectrum of response measures – law enforcement, political, psychological, social, economic and (para)military (Schmid 2011b, 620);
- actions to ameliorate the threat and consequences of terrorism (Sandler 2015, 12);
- include war, incapacitation, deterrence, symbolic reassurance, protection, harm minimisation, and concessions. (Douglas 2014, 34)

In comparison of the three, a first impression is that anything and everything can be counter-terrorism in the right context. The definitions of counter-terrorism I have encountered vary hugely in their levels of analysis (states, organisations, individuals), units of analysis (approaches, measures, practices) and in their goals, specificity and the timeframe for their attainment. A consensus definition based on these would have a lowest common denominator almost devoid of meaning. Since my dissertation's goal is not to represent reality in its entirety

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<sup>42</sup> I only treat what Crelinsten (2014, 7-9) or Arce and Sandler (2005, 184) refer to as *defensive counter-terrorism*, e.g. target hardening and contingency planning (see Coaffee 2006, 392; Lum et al. 2006, 501-505; Sandler 2015, 13-14; Schneckener 2006, 199-200) to the extent that Crelinsten's *psychosocial resilience* is part of *communicative counter-terrorism*. The other measures lack relevance for my research as such self-protection is not typically discussed in the context of regime type or legitimacy.

but to approximate it to a reasonable degree based on one reasonable point of view, I acknowledge the existence of contestation and limit myself to *one* operationalisable definition for the purpose of my research.

Counter-terrorism is here defined as the aggregate of four complementary models: *coercive*, *conciliatory*, *structural* and *communicative*. These are “model[s] of ‘reality’” in the sense of Geertz (1993, 93-94), i.e. analytically “upstream” (Smaje 2013) synoptic representations of counter-terrorism as encountered in reality, observed and deliberated on by other scholars. “Model[s] for ‘reality’”, by contrast, contain information instructive for the creation or alteration of reality (Geertz 1993, 94). States’ counter-terrorism strategies are such “models for” counter-terrorism: based on a symbolic representation of the status quo and identification of a target status, they contain instructions on how the socio-political reality is to be brought into unison with the anticipated target situation of less or no terrorism. The overall “models of” counter-terrorism (*coercive*, *conciliatory*, *structural* and *communicative*) and sub-models outlined in this section, by contrast, only serve heuristic purposes. These four counter-terrorism models encompass differing points of interception with the phenomenon of terrorism, different goals, dominant actors as well as policies, practices and measures. In the empirical sections, the definitions of counter-terrorism that move onto centre stage are those used by the respective governments in their statements, strategic documents and laws, i.e. case-specific “models for” counter-terrorism in Geertz’ sense. Then, the heuristic models serve as analytical tools for the observation of empirical variation.

### **II.3.2.2 Counter-terrorism goals, strategies, measures and practices**

States’ counter-terrorism strategies are understood to consist of the entire complex of status quo diagnosis (threat analysis), definition of goals and a set of policies, practices and measures towards their attainment. Indicators for all these aspects are found in strategic documents, laws, political statements and media reports (I.2.4). This understanding of counter-terrorism strategy refers to states’ political strategy in countering terrorism, superordinate to military strategy and other instrumental socio-political strategies. Goals of counter-terrorism can, following the example of the UK’s counter-terrorism strategy (“CONTEST“ 2016) and van Dongen’s (2010, 229-230) and Silke’s (2010, 12-13) recount thereof and of the EU’s, be identified as *pursuit*, *prevention*, *protection* and *preparation/response* (see Korte 2016b). There, *pursuit* means criminal pursuit and investigation after acts of terrorism and prevention or disruption via criminal justice, and *prevention* means those aspects aimed at preventing people from turning to or supporting terrorism by alleviating factors conducive to radicalisation (“CONTEST“ 2016, 10-17; van Dongen 2010, 229; Silke 2010, 12-13). *Protection* pertains to reducing the vulnerability of citizens and infrastructure to attack, and *preparation* or *response* captures efforts to reduce the potential impact to the absolute minimum including through

contingency and recovery planning ("CONTEST" 2016, 19-23; van Dongen 2010, 229; Silke 2010, 12-13).

Another part of counter-terrorism strategy is the formulation of methods on how the goals of *pursuit, prevention, protection* and *preparation* or a combination thereof is to be attained. To attain these goals, states adopt policies which I follow van Dongen (2010, 231) in defining as officially formulated and published plans of action that governments design to tackle specific problems. Policies are state-specific empirical "models for" counter-terrorism in Geertz' (1993, 93-94) sense. Policies primarily consist of *measures* as the smallest discernible units of action (van Dongen 2010, 230-231). A difficulty with the term *measure* is its connotation of precision and anticipation of a perfectly goal-oriented implementation. This may not hold true in the face of a phenomenon as temporally, spatially and socially unbound as terrorism. Thus, I borrow the term *practice* from Norman Fairclough (2001, 1) to, in the current context, denote such actions, interactions, positions and narratives that are so deeply woven into their context that they cannot be termed a *counter-terrorism measure* because, in their original meaning, they were not intended as or not exclusively focused on counter-terrorism. They may not be specified in counter-terrorism laws or strategic documents but emerge between their lines, from entirely different documents or be observable at the textual or non-textual level. Such a broad approach is especially important in view of the potentially strategic nature of governmental threat framing.<sup>43</sup> That consideration of *practices* including narrative alongside observably planned, stated and executed counter-terrorism *measures* also pays tribute to analytical consideration of counter-terrorism through the prism of what Crelinsten (2014, 1, 12) calls the "comprehensive approach". The facts that Silke (2010, 12-13) refers to the *prevention* component as "the battle for hearts and minds" – a term from the COIN repertoire<sup>44</sup> whose belonging in the counter-terrorism context is denied by advocates of a narrowly kinetic meaning of counter-terrorism (Boyle 2010; Exum 2000; Rineheart 2010) – as much as the proliferation of states' efforts in this strand in the last decade are emblematic of that developing "comprehensive approach" (Byman 2016; Kilcullen 2009, 13-16; Moghadam et al. 2014; Ucko 2015). I fully embrace this analytically broad view in the design, especially when it comes to the communicative dimension of interaction between terrorists and counter-terrorists (Korte 2019a).

The next four subsections introduce *coercive, conciliatory, structural* and *communicative* models of counter-terrorism as the conceptual framework for charting counter-terrorism understood in such comprehensive manner. My four-pronged approach to classify models according to *how* they work is different from the aims' classification undertaken by the EU's and UK's counter-terrorism strategies and van Dongen (2010, 230). It also differs from

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<sup>43</sup> (Campana 2013, 459-460; 2014, 249-250; Crotty 2004, 7-8; Perliger 2012, 527).

<sup>44</sup> (Galula (1965) 2006; Jones 2008, chapt. 2; Kilcullen 2009; 2010; Nagl 2005; "US Army Field Manual 3-24" 2014).

classifications according to time horizon – for instance, the distinction between *proactive* or *offensive* and *reactive* or *defensive counter-terrorism* used by Crelinsten and Schmid (1992, 310, 322), Arce and Sandler (2005, 184) or Sandler (2015, 13-14). It is also more comprehensive than the distinction between *hard power* and *soft power* or synonymously *coercion* and *co-optation* that is common in game-theoretic approaches.<sup>45</sup> Together, the four “models of” counter-terrorism – *coercive, conciliatory, structural and communicative* – form the concept of *counter-terrorism*. Importantly, while subordinate models may take contradictory approaches, they are complementary nonetheless.

### II.3.3 Coercive models of counter-terrorism

#### II.3.3.1 Coercion in general, “criminal justice” and “armed conflict models”<sup>46</sup>

Generally speaking, coercive models can be explained in terms of Sandler et al.’s (1983, 39) budget calculation for rational terrorist actors ( $Cost \times benefit (legal\ activity) + cost \times benefit (illegal\ activity) = resources$ ) whereby the assumption is that raising the costs of *illegal activity* deters the former while raising the attractiveness of *legal activity*.<sup>47</sup> However, it is reasonable to assume that the deterrent or *substitution effects* found by Eyerman (1998) and Sandler et al. (1983), only work up to a certain level of violence given observations on the risk of backlash (II.4.3.1, e.g. Piazza 2015, 5) and/or the strategically provocative use of terrorism as a tactic (II.2.3.2, e.g. Kydd and Walter 2006, 50, 69-70). Examples of coercive measures are surveillance, criminal conviction or administrative detention, physical abuse including torture, preemptive or retaliatory strikes using armed force and targeted killings or the “decapitation” (removing leaders) of terrorist organisations.<sup>48</sup> Thus used, *coercive counter-terrorism*, though inspired by Crelinsten’s (2014, 2-4) use of the term, has a broader meaning than his. I specifically include elements from Crelinsten’s (1978; 1998; 2002; 2014) *coercive counter-terrorism* with his highly influential *criminal justice* and *war (armed conflict) models* (e.g. Chalk 1998, 376; Crelinsten and Schmid 1992, 309-310; van Dongen 2010, 228) as well as from his distinct category of *proactive counter-terrorism* (Crelinsten 2014, 4-5) and from Pedahzur and Ranstorp’s (2001) *expanded criminal justice* and Bhoumik’s (2005) *intelligence models*. Even though my analytical focus is on the non-coercive components of authoritarian counter-terrorism and I will thus only rely on these five models to present and compare the two cases to a limited degree, coercion still remains a key pillar of any counter-terrorism strategy. To that end, a common understanding of the models, terminology and rationales underpinning them and relating them to other components of my analysis (other counter-terrorism models, legitimacy considerations) is essential.

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<sup>45</sup> (e.g. Bueno de Mesquita and Dickson 2007; Crelinsten and Schmid 1992, 309; Sederberg 1995).

<sup>46</sup> Discussion of the legal aspects of coercion is partly based on Korte (2018a; 2018b; 2019b).

<sup>47</sup> (Bhoumik 2005, 297, 343; Brooks 2009, 767-768; Eyerman 1998, 152-153; Piazza 2015, 3-4; Wilson and Piazza 2013, 943).

<sup>48</sup> (e.g. Crelinsten 2014, 2-5; van Dongen 2010, 229; Piazza 2015, 6-7; Sandler 2015, 13; Wilson and Piazza 2013, 943).

In Crelinsten's (1978; 1998, 399-404; 2002, 86-90; 2014, 2-3) *criminal justice model*, terrorism is treated as an "ordinary crime" following standard criminal procedure where adherence to the rule of law is important and only limited physical coercion applied. The agents charged with applying force traditionally are the police, law enforcement services and the wider criminal justice system.<sup>49</sup> Terrorism is condemned for its criminal nature, not delegitimated either as a tactic or for the political or ideological goals whose attainment it serves (Bhoumik 2005, 298-299; Crelinsten 2014, 3). In a more proactive version of the same model, terrorism is viewed as "special offence" whose prosecution requires departure from standard criminal procedure, rules of evidence and rights of the accused under notions of exceptionalism or emergency legislation.<sup>50</sup> Bhoumik (2005, 299) and Crelinsten (2014, 3-4) include the criminalisation of ancillary or preparatory offences relating to, for instance, group membership or financing. This renders law enforcement agencies more flexible and allows them to punish and, in departure from the strict *criminal justice model*, delegitimise terrorists' motives before or over the committed act (Bhoumik 2005, 299).

Under Crelinsten's *armed conflict (or war) model*, terrorism is treated as a belligerent act and met with military capabilities according to the laws of armed conflict.<sup>51</sup> Accordant technological and tactical solutions unavailable under criminal law include targeted measures such as retaliatory or pre-emptive strikes against organisations and individuals, decapitation of organisations; they also include indiscriminate measures targeting the larger population such as checkpoints, restrictions on the freedom of movement and raids.<sup>52</sup> Relevant agents are not law enforcement services but (para)military units and covert services.<sup>53</sup>

### **II.3.3.2 Hybrid models: "expanded criminal justice" and "intelligence model"<sup>54</sup>**

Crelinsten (1998, 400, 410-411) already saw his *armed conflict* and *criminal justice models* as placed along a continuum and recognised the growing interception between the two.<sup>55</sup> Crelinsten and Schmid (1992, 333-335), Pedahzur and Ranstorp (2001, 4) and Bhoumik (2005, 289-299), too, observe the criminal justice fight against terrorism in liberal democracies to often deviate from ordinary criminal justice patterns by way of creating special offences, courts and procedures, often involving the empowerment of police, investigative and law enforcement agencies. In contrast to Crelinsten's (1998, 399; 2002, 88) view of these developments as

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<sup>49</sup> (Bhoumik 2005, 298-302; Chalk 1998, 376; Crelinsten 2002, 87; Crelinsten and Schmid 1992, 314, 332-332; Pedahzur and Ranstorp 2001, 3-5; Perliger 2012, 494).

<sup>50</sup> (Bhoumik 2005, 299; Crelinsten 1998, 402-404; 2002, 87-89; 2014, 3-4; Crelinsten and Schmid 1992, 333-334). I dealt with this in my M.A. thesis on U.S. exceptionalism at Guantánamo Bay (Korte 2013). See Korte (2018a; 2018b; 2019b).

<sup>51</sup> (Bhoumik 2005, 302-307; Crelinsten 1998, 399-400; 2002, 87-90; 2014, 3; Crelinsten and Schmid 1992, 309-310; 315-321; Pedahzur and Ranstorp 2001, 3-5; Perliger 2012, 493-494).

<sup>52</sup> (ibid).

<sup>53</sup> (Bhoumik 2005, 303-304; Crelinsten and Schmid 1992, 334-335; Pedahzur and Ranstorp 2001, 5; Perliger 2012, 494).

<sup>54</sup> Discussion of the legal aspects of coercion is partly based on Korte (2018a; 2018b; 2019b).

<sup>55</sup> (see Crelinsten 2002, 88-90, 117-118; 2014, 4-5; Crelinsten and Schmid 1992, 333-335).

“deformations of the criminal justice model”, the latter three scholars construct self-standing models. Pedahzur and Ranstorp’s (2001, 5-6) *expanded criminal justice model* understands terrorism neither as a crime nor as an act of war but as an “exceptional phenomenon”. They see it tackled in adherence with the national rule of law but where national laws are amended to maximise operability on the verges of constitutionality, with operations conducted by police, law enforcement and secret services, complemented by special (para)military units. They include measures typically associated with armed conflict: administrative detention, restriction of certain civil freedoms, adjudication by court martial and the occasional use of extraordinary force. Yet, they explicitly relate more to the *criminal justice model* in requiring “the intention of bringing suspects to trial” (Pedahzur and Ranstorp 2001, 5; Crelinsten 2002, 117-118).

Bhoumik (2005, 297-298, 307-308, 340), by contrast, distinguishes his *intelligence model* from the two traditional models according to the following characteristics: “collectivity”, referring to whether the targets are discriminately terrorist individuals or groups or a more indiscriminate set of persons, “accountability” to the public and “timing” in relation to the terrorist threat. Bhoumik’s (2005, 301) identification of the understanding of terrorism “as a threat to the security of the state” as part of the rationale underpinning the *intelligence model* renders it different from the *criminal justice model*’s understanding as a crime and similar to the *war model*’s understanding as a threat to national security (ibid). As for “timing”, the goal of prevention is not attained through criminal punishment of past perpetrators or retaliatory strikes but through direct intelligence-guided preventive, oftentimes extrajudicial intervention by state agents, mostly intelligence agencies (Bhoumik 2005, 301-303; Crelinsten 2014, 5). In its goals and agents, this is similar to what Crelinsten (1998, 402-404; 2002, 94-97; 2014, 5) calls “proactive” as opposed to “reactive policing”. In terms of “collectivity”, the *intelligence model* discriminately targets individuals and organisations similarly to the *criminal justice model*’s focus on individuals (Bhoumik 2005, 298, 307-308, 340). Its means, however, are different: they involve assassinations, torture and adjudication by secret, sometimes military tribunals (301-303). Thus, the *intelligence model* is less constrained than the traditional *criminal justice* one but its “collectivity” more discriminate than the traditional *war model* (308, 340). Finally, regarding “accountability”, given the secrecy of intelligence services’ work, the model’s implementation is not subject to similar institutionalised or informal oversight as the other two are (301-303, 308).

While said authors discuss their models and their (dis)advantages in a democratic context, since the models are generically defined by an understanding of terrorism, counter-terrorism goals, the key institutional actors involved, targets sought and techniques applied, they can be applied irrespective of regime type. Moreover, as pointed out by Bhoumik (2005, 298, 308) and implicitly recognised in Crelinsten’s conceptualisation of the traditional *criminal justice* and

*war models* along a continuum,<sup>56</sup> individual characteristics and coercive measures may be embedded in several models that can operate simultaneously.

### **II.3.4 Conciliatory models of counter-terrorism**

#### **II.3.4.1 Contextualising and conceptualising conciliation**

The coercive models just discussed affect the cost of illegal activity factor in Sandler et al.'s (1983, 39) budget calculation. *Conciliatory models* – the umbrella term stems from Sederberg's "conciliation as counter-terrorist strategy" – lower the costs and raise the benefits of legal activity within that budget calculation, rendering terrorism a comparatively less attractive tactic for realising groups' goals and contributing to their disintegration by internally manipulating them towards one or several of the modes of decline discussed at II.2.4.2 (e.g. Bhoumik 2005, 297, 343; Sederberg 1995, 299-305). Meanwhile, there are more and less specific ways of accomplishing these two aims. The terms *conciliatory/conciliation* used, for instance, by Crelinsten and Schmid (1992), Sederberg (1995), Bhoumik (2005) and Bueno de Mesquita (2005), or *co-optation*, drawn from the authoritarianism and civil war literatures (II.5.9, e.g. Fjelde 2010, 196) and used by Wilson and Piazza (2013), do not convey those different pathways. I thus distinguish both between structural and conciliatory models and among the latter for the addressal of terrorist and underlying grievances in terms of the models' discriminatory. First, I follow Crelinsten and Schmid's (1992, 309) distinction between "accommodation" of specific groups or demands and "reform" encompassing a less specific and more preventive range of policies and measures (see Bhoumik 2005, 343; Gvineria 2009, 276; Ross, J. and Gurr 1989, 409-410). I only refer to the former (accommodation) as *conciliatory*. I place the latter in my *structural models* (II.3.5). I model *structural counter-terrorism* – a term taken from Schneckener (2006) – to take on a longer-term, regularised, systematic form, for instance, through the creation of institutions, which Wilson and Piazza (2013, 943-944) suggest as a type of co-optation. The condition for incorporating Sederberg's elaborations on conciliation into my modelling is his acceptance of the tactical nature of terrorism and its use by rational strategic actors as the baseline for drawing arguments from rational deterrence and collective action theories (Sederberg 1995, 300-304). Secondly, I further distinguish between *conciliatory models* addressing terrorist organisations in their entirety (*collective conciliation*) or only a portion thereof (*selective conciliation*). These forms play on different aspects of group-internal dynamics and on different external effects.

#### **II.3.4.2 Collective and selective conciliatory models of counter-terrorism**

*Collective conciliatory* measures are considered to reduce terrorism via the following effects. Sederberg (1995, 305-306) suggests "conflict regulation" to draw a group back into the non-violent process of general negotiation and policy formulation. This corresponds to the rarely

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<sup>56</sup> (Crelinsten 1998, 410-411; 2002, 88-90, 117-118; 2014, 4-5; Crelinsten and Schmid 1992, 333-335).

observed notions of “partial success” (Gvineria 2009, 262-263) or “strategic impact” (Wilkinson 2011, 8-9, 17-18) as a reason for decline (II.2.4.2 above). It is also similar to what Gvineria (2009, 259, 276-278) calls the “emergence of new alternatives” or, in Cronin’s (2006, 19, 25-27) terms, the “transition to a legitimate political process”. These, due to their long-term nature, intersect with the *political-institutional structural model* below (II.3.5.2). Relating to Eyerman’s (1998) *substitution effect*, the expectation is that if negotiations are successful in any type of goal attainment, this signals the comparative efficacy and benefits of non-violence and thus invites more of that type of engagement.<sup>57</sup> Meanwhile, the evidence as to the effects of negotiations or limited concessions is inconsistent: Pape (2003, 344, 352) finds concessions to invite more terrorism because violence is seen to work; other scholars find them to manipulate the group-internal balance between moderate and extremist factions alternatively either towards disintegration or deradicalisation in toto (Dixon 2015, 191) or towards radicalisation after moderates switch sides.<sup>58</sup> Finally, the information gained during negotiations can, as shown, for instance, by Dixon (2015, 190-192), be used to strategically manipulate the movement towards declining on its own accord via any of the other pathways of decline outlined at II.2.4.2, e.g. “burnout” (Gvineria 2009, 267; Ross, J. and Gurr 1989, 409). As Bueno de Mesquita (2005, 146-147, 149, 154, 156) and Blankenship (2018, 386) show, the intelligence gained can also enhance the effectiveness of coercion, inter alia by informing precision coercion, aiding decline indirectly. While these measures are of a relatively generic nature, *collective conciliation* also occurs in an ad-hoc fashion through one-off or “short-term” concessions in the course of hostage-takings, for instance, prisoner releases (Sederberg 1995, 299; Saygili 2019, 479). Yet, the rationales and incentives for governments to enter negotiations may differ significantly between acute crises and tactical concessions embedded within longer-term conciliatory strategies (Sederberg 1995, 299). I thus follow Sederberg in assigning little weight to such ad-hoc one-off concessions in my models.

An alternative *conciliatory* approach is to selectively address moderate individuals or factions within a group to promote their defection and deal with the radical remainder according to a strategy of “divide and defeat” (Dixon 2015, 192; see Cronin 2006, 25-26; Sederberg 1995, 307). Examples of such *selective conciliation* are amnesties and recognising or engaging with moderate leaders (Cronin 2006, 25-27; Gvineria 2009, 273, 276; Sederberg 1995, 304-305, 307). *Selective conciliation*, in addition to the benefits discussed already, has at least four other advantages. One is draining manpower. Secondly, it signals the availability of exit and reintegration options (Crelinsten 2014, 6; Crelinsten and Schmid 1992, 328-329). Third, the

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<sup>57</sup> (Crelinsten and Schmid 1992, 326; Cronin 2006, 25-27; Dixon 2015, 191-192; Gvineria 2009, 276-278; Sederberg 1995, 305-308). Crelinsten and Schmid (1992) subsume this under the “defensive external psyops” component of the “propaganda dimension of counter-terrorism” (II.3.6 below).

<sup>58</sup> (Bueno de Mesquita 2005, 146, 161-162, 170-171; Cronin 2006, 25-27; Gvineria 2009, 262-263, 277-278, 296-297).



intelligence gained thereby can enhance the effectiveness of the coercive components of the counter-terrorism repertoire (Bueno de Mesquita 2005, 146-147, 149, 154, 156; Sederberg 1995, 299). The fourth benefit is associated with the radicalisation of the remainder of the movement, providing justification for harsher coercive measures, with the additional benefit of better intelligence.<sup>59</sup> Accordingly, *selective* and *collective conciliatory models* have promising elements with respect to tackling terrorism both in and of themselves and in connection with other model components.

### II.3.5 “Structural” models of counter-terrorism

#### II.3.5.1 “Structural counter-terrorism” in general

The preceding section mentioned that the *conciliatory* term used by Bhoumik (2005) and Crelinsten and Schmid (1992) encompasses longer-term regularised forms of addressing factors that may be conducive to the development of terrorism, including grievances. I generally follow Schneckener (2006, 215-229) in referring to such policies and measures as *structural counter-terrorism* (*strukturelle Terrorismusbekämpfung*) but restrict the model to a narrower and exclusively domestic denotation. His counter-measures (219-228, auth. transl.) inter alia include “socioeconomic modernisation”, “expansion of political participation”, “involvement of moderate Islamists”, “intensification of intercultural dialogue” and “state-building”. In terms of comprehensiveness, orientation and heterogeneity of means, Schneckener’s *structural* term largely corresponds to the UK and EU counter-terrorism strategies’ *prevent* strand (II.3.2.2 above, e.g. “CONTEST” 2016, 15-17) and to the content of Crelinsten’s (2014, 9-10) “long-term” models. There, particularly to Crelinsten’s “development” and “human security” models in reference to what Crelinsten calls “structural factors”, but deviating from his “prevention” models. My understanding of *structural counter-terrorism* is narrower than all these. I subsume those measures that take place in the realm of communication – for instance, the third and fourth items from Schneckener (2006) – under *communicative counter-terrorism* and omit those which Schneckener discusses with a view towards the international or extraterritorial context (“strengthening international norms”, 223-224, and combatting “shadow globalization”, 217-218). A common denominator of these structural means is that they address terrorism indirectly through groups’ external environment – i.e. the structure – as opposed to the group- or goal-specific engagement implicated in my coercive and conciliatory counter-terrorism models. Additionally, there are other differences that lead me to distinguish between *process-based* (political-institutional)<sup>60</sup> and *condition-centric* measures and policies.

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<sup>59</sup> (Bueno de Mesquita 2005, 161-162, 170-171; Dixon 2015, 192; TTSRL 2008b, 47).

<sup>60</sup> Note that the *process-based* notion in counter-terrorism should not be understood to refer to Horgan’s (2005, 50) “process-based” or “process-grounded social psychological model of terrorism” since my focus here is on the political-institutional process which is only a small portion of the factors Horgan considers.

### II.3.5.2 *Process-based and condition-centric measures and their caveats*

*Process-based (political-institutional)* measures logically follow Eyerman's (1998, 151-154) "political access" logic. As discussed at II.2.2, Sandler et al.'s (1983, 39) budget calculation ( $cost \times benefits \text{ of legal activity} + costs \times benefits \text{ of illegal activity} = resources$ ) can be used to represent the calculus according to which extremist groups decide to use terrorism as a tactic. Eyerman's (1998, 151-154) *political access* argument states that the greater the institutionalised opportunities for opinions outside the political mainstream to flow into the process of policy-formulation, the lower the costs for pursuing that legal activity compared to illegal activity and the more attractive that legal activity becomes.<sup>61</sup> Then, *structural counter-terrorism* can be understood as the process of broadening these opportunities so as to raise their attractiveness compared to that of violent means.<sup>62</sup> As concerns terrorist groups, this ideally foregoes or leads to the abandonment of terrorism (Sederberg 1995, 299, 306-307) or induces their "burnout" (Ross, J. and Gurr 1989, 409-410, II.2.4.2 above). Despite logical similarities to conciliatory models and in contrast to Sederberg (1995), Crelinsten and Schmid (1992), Bhoumik (2005) and Wilson and Piazza (2013), it is the longer-term nature of these institutionalisation investments and their not specifically being directed at groups that renders my conceptualisation of *structural counter-terrorism* and specifically of the *process-based (institutional-structural)* type distinct from rather than a distinct form of conciliatory counter-terrorism (*co-optation* in the case of Wilson and Piazza). Such *structural counter-terrorism* also enables minority groups or grievance holders that are sympathisers or so-called "passive supporters" to realise their interests in a non-violent manner, thereby addressing groups' environment rather than the groups themselves.<sup>63</sup> In addition to the mentioned indirect effects on groups, this aims for those modes of decline that Cronin (2006, 27-28) and Gvineria (2009, 272-275) call "diminishment of popular support" and Gvineria's (2009, 276-277) "emergence of new alternatives" (II.2.4.2, II.3.4.2 above). Corresponding *political-institutional (process-based)* measures may entail the institutionalisation of political participation for under-represented groups.<sup>64</sup> Examples are giving them a voice in the existing political process through special rights and quotas, the creation of new institutions or granting territorially administered group-based autonomy rights.<sup>65</sup> In as much as *process-based* measures aim for a reduction of violence through Eyerman's (1998) *substitution effect*, they are capable only of addressing terrorism via its tactical nature or limited to those causes of grievances that lie in

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<sup>61</sup> See II.3.4.2, e.g. Sederberg (1995, 299-305), on how this affects terrorist groups' internal functions and tactical/strategic considerations.

<sup>62</sup> Confusingly in the current context, Crelinsten (1978, 111; see 1998; 2002; 2014) calls this the "communications model". Crelinsten and Schmid (1992, 326-328) also subsume similar measures under the "offensive external psyops" component of their "propaganda dimension of counter-terrorism" (II.3.6 below).

<sup>63</sup> (Cronin 2006, 27-28; Gleditsch and Polo 2016, 210-212, 225-226; Gvineria 2009, 276; Sederberg 1995, 307; Wilson and Piazza 2013, 943).

<sup>64</sup> (e.g. Crelinsten 2014, 9-11; Gleditsch and Polo 2016, 212; Qvortrup 2015; Schneckener 2006, 219-220; Wilson and Piazza 2013, 943).

<sup>65</sup> (*ibid.*).

the political process as such. Yet, policies and measures can also address other grievances or interests that actors want to introduce to or realise in that political process. That is why I distinguish such *condition-centric* policies and measures from *process-based* ones.

*Condition-centric* measures and policies address underlying structural issues such as factors that Gurr's *relative deprivation* refers to (II.2.4.1). Conceptually they correspond to what Schneckener (2006, 218, auth. transl.) calls "socio-economic and societal modernisation" and what Crelinsten (2014, 9-10) subsumes under "the development model" and "the human security model". In terms of measures, this means, for instance, ameliorating poverty and improving access to work and education in lower social strata. It may also include measures and reforms that broadly stabilise and strengthen state capacities, suggested examples being security or financial sector reforms (Schneckener 2006, 225-227).

Three points invite caution concerning the effectiveness of *structural counter-terrorism* measures, at least when applied in isolation. First, pertaining to the *process-based* measures, various researchers have investigated the *political access* hypothesis, mostly through the prism of the relationship between regime type and occurrence of terrorism, yet to contradictory results so that *political access* cannot be said to alone or consistently explain terrorism or its absence.<sup>66</sup> Chenoweth (2006) also points to competition for agenda-space as a factor that incentivises groups to resort to extraordinary violence to attract attention. Aksoy and Carter (2014, 182-183, 203-204) find "electoral permissiveness" is only relevant where groups pursue what they call "within-system goals" but not for "anti-system groups". Further limits to the benefits of inferring from the *political access* argument the utility of *process-based* measures are imposed by Aksoy et al.'s (2012) findings of conflicting effects of the existence of parties and elected legislatures across autocratic regime types. A related caveat to the effectiveness of *process-based* measures has been pointed out by Gleditsch and Polo (2016, 213-214) and is also a logical corollary of my conceptualisation of *structural counter-terrorism* as a component of Crelinsten and Schmid's (1992), Sederberg's (1995), Bhoumik's (2005) and Bueno de Mesquita's (2005) *conciliation*: they create the possibility of group-internal factionalisation with a range of secondary effects potentially risky and beneficial for larger counter-terrorism (II.3.4).

A final and more general objection is that reference to and addressing so-called "root causes of terrorism" suffers from the fact that research there remains "inconclusive" (Schmid 2013, iv; II.2.4.1 above). For instance, Horgan (2005, 45), Cronin (2006, 10), TTSRL (2008b, 47, 49, 54) or Gvineria (2009, 280-281) all indicate that the combination and development of actors' grievances and rationality in applying and maintaining over abstaining from terrorism as a tactic

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<sup>66</sup> (e.g. Crotty 2004; Li, Quan 2005; II.2.4) For comprehensive discussions and recent findings on the relationship between regime type and terrorism, see Chenoweth (2013), Gaibulloev et al. (2017), Ghatak et al. (2019), Magen (2018), Qvortrup and Lijphart (2013) or Qvortrup (2018).

over time implicate that neither addressing original grievances nor influencing tactical calculations alone can be a panacea to terrorism. Nonetheless, factors of what Gurr has coined as *relative deprivation* can be taken as conducive to instrumentalisation by groups for recruitment and mobilisation for an ideology or cause (e.g. Crelinsten 2014, 9; Gleditsch and Polo 2016, 212-213; Horgan 2005, 45). That means that both *process-based* and *condition-centric* measures and policies can still be suggested as useful components to comprehensive counter-terrorism strategies towards minimising those grievances' potential for exploitation.

### II.3.6 Communicative models of counter-terrorism<sup>67</sup>

#### II.3.6.1 From the communicative nature of terrorism to counter-terrorism<sup>68</sup>

As discussed at II.2.3, terrorism relies on fear, the public perception and construction of its risk and its effects to generate an impact (e.g. Wilkinson 2011, 152) and is designed to communicate with several audiences at once (e.g. Crelinsten and Schmid 1992, 322; Crelinsten 2002, 83-84). Regardless of its context, there are always addressees with whom communication is purely instrumental towards the creation of fear, the coercion of government or ultimate goal attainment as well as other addressees whom groups are trying to reach out to to attract new supporters.<sup>69</sup> Recognition of that “propaganda dimension” and of terrorism as a tactic in the “struggle for hearts and minds”, which is first and foremost about communication, has brought scholars to logically consider the role of communication in counter-terrorism under such frameworks as “the propaganda dimension of counter-terrorism” (Crelinsten and Schmid 1992, 322-330), “persuasive counterterrorism” (Crelinsten 2014, 6-7), “a counter-psychological approach” (Richards 2010, 186), “counter-propaganda” (Bowman-Grieve 2010, 86) or “the psychological dimension” of counter-terrorism (Silke 2010, 1). Such models fit with the general importance assigned to the role of communication and symbolism. Examples are Perliger’s (2012, 507-508) still relatively positivist conception of terrorism and counter-terrorism as “a struggle over symbolic power” and, to a lesser extent, with a version of the argument advanced by Heath-Kelly (2015) that is constructivist to the degree of agnosticism of (counter-)terrorism’s physical dimensions.<sup>70</sup> I follow Perliger’s (2012, 505-507) two-dimensional approach because of his cognisance of terrorism’s dually physically violent and symbolic nature. Then, in contrast to Heath-Kelly and Crelinsten and Schmid’s more positivist but fuzzier notion of

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<sup>67</sup> This subsection is partly based on the revision and expansion of ideas I presented during the 3<sup>rd</sup> *Young Researchers’ Workshop on Terrorism and Belligerency* in February 2019 (Korte 2019a). I am indebted to my respondent Alexandra Herfroy-Mischler and the participants for their invaluable feedback.

<sup>68</sup> This subsection is partly based on Korte (2019a) and contains ideas compiled for a brochure (Korte 2017).

<sup>69</sup> (e.g. Bowman-Grieve 2010, 82-83; Browne and Silke 2010, 93-94; Kydd and Walter 2006, 58; Schneckenner 2013, 51; Wilkinson 2011, 153-154).

<sup>70</sup> Heath-Kelly (2015, 46, 48, 47) holds that “the function of political violence, and its suppression, is a struggle over the unchallenged performance of political discourse and the symbolic order” whereby “counter-terrorism functions to eliminate and remake those challenges to the reproduction of sovereignty”. This demonstrates her focus to be on meaning and symbolism, bypassing the physical dimension of terrorism and counter-terrorism altogether, maximally seeing the latter as another symbol in the contestation of meaning (52-53). While that ontological stance is clearly incompatible with the more positivist approach I take – it would fit better had I opted to conceive of legitimacy as rooted in a Weberian *Legitimitätsglaube* – the idea of “ideological labour” is still fruitful in terms of resilience (II.3.6.2 below).

communication,<sup>71</sup> by *communicative counter-terrorism* I refer to communicative interaction, specifically the part concerning explicit verbal or visual communication or its management, specifically intended for counter-terrorism purposes by the state actor in question (similarly to Crelinsten and Schmid 1992, 323).

Crelinsten and Schmid (1992, 322-330) create a typology of their “propaganda dimension of counter-terrorism”, distinguishing different types of interaction according to the audiences addressed thereby. Based on an understanding that “terrorism is a form of psychological warfare” (322), they follow a theory of military psychological operations (psyops) to distinguish four sub-dimensions. The primary distinction between “internal” and “external psyops”, addressing governments’ and terrorists’ primary supportive constituencies respectively (322-323), is sufficiently disaggregated for my purposes. However, I prefer to label the two models *target-centric* and *actor-centric* instead to convey who the target group of communication or its management is. Another difference is that my understanding of communication is relatively narrow whereas their “external psyops” (326-330) encompass various forms of negotiation, conciliation and structural reforms that fit better with my *conciliatory* and *structural models*. Then, by *target-centric communicative counter-terrorism*, I refer to those policies and measures that address the public at large as what Crelinsten (2014, 7) calls “counterterrorists’ constituencies” or in their function as instrumental targets with whom effects that rely on the construction of fear and risk are sought (II.3.1 above; e.g. Crelinsten 2002, 84). In *actor-centric communicative counter-terrorism*, by contrast, the addressees are terrorists, potential recruits and sympathisers, noting that these are, in the case of domestic (counter-)terrorism, likely a subgroup of the first set.

### **II.3.6.2 Target-centric communicative counter-terrorism<sup>72</sup>**

*Target-centric* measures address the public at large and, more specifically, public discourse in its function of generating and hosting a climate of fear. This is directly and indirectly instrumental to terrorists’ goal attainment in the ways discussed at II.2.3. The primary avenue of the social production of risk and fear of terrorism in public discourse are the media. The upshot from the influence of its freedom and market dynamics (II.2.3.1) is that measures such as news embargoes or broadcasting bans, travel bans or media (self-)censorship, all of which focus on denying attention, may have a positive effect on the social construction of the risk and fear of terrorism and, by extension, on terrorists’ ability to instrumentalise the former (Browne and Silke 2010, 105-107; Wilkinson 2011, 159-161).

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<sup>71</sup> This is notably different from Crelinsten’s (1978, 111; see 1998; 2002) “Communication Model” which is closer to my *conciliatory* and *structural models* rather than focussing on communication in the narrowly verbal or symbolic sense. Meanwhile, the “Communication Model” as outlined in Crelinsten (2014, 6) and Crelinsten and Schmid (1992, 322-330) is much narrower, yet in the latter still wider than my own *communicative model* whereas in the former it is narrower insofar as my *communicative model* also subsumes Crelinsten’s (2014, 9) “psycho-social model” of “mitigation” as part of his “defensive counter-terrorism”.

<sup>72</sup> This subsection is partly based on Korte (2019a) and contains ideas compiled for a brochure (Korte 2017).

An alternative to such denial of attention measures is to focus on resilience. As explained by Coaffee (2006, 396-400), the term denotes the capacity “to ‘bounce-back’ from disaster”, which is like in its original context of ecological or technological systems attained by drawing up contingency plans and installing back-up mechanisms for worst-case scenarios in advance. One example of a relatively narrow notion of resilience in the *communicative counter-terrorism* context is the “psychosocial model” suggested by Crelinsten (2014, 9). Yet, his idea is more oriented towards individual psychological coping mechanisms than towards resilience to the construction of risk and the climate of fear as a social dynamic. In my understanding, a broader notion of resilience is feasible to capture these dynamics at the individual as well as social psychological levels. Concrete measures commonly identified in the literature relate to education on how terrorism works in general so as to minimise its impact by thus taking away the alienating and surprise momentum that propels the spiralling of fear; other suggested elements of fear management are issuing calm and non-alarmist warnings and fact-sharing.<sup>73</sup> At the level of ideas, Heath-Kelly’s (2015, 41-43, 46-47, 52-53) conceptualisation of counter-terrorism as “ideological labour” is also instructive: It promotes the general resilience of a political system as a type of symbolic order by strengthening the norms and values underpinning it. Her conceptualisation suggests that vulnerability to both physical and ideational challenges can be reduced through communicative engagement (ibid). That is because if the norms and values underpinning a certain (type of) order are strong enough, alternative ideas cannot gain traction easily, nor will shocks rock the boat as much. This reduces terrorists’ ability to exploit any and all of the multiple instrumentalities discussed and to scratch sovereignty itself (ibid). Thus, in addition to measures of denying attention and managing fear, I subsume values-based communicative engagement towards resilience under my *target-centric communicative* model.

### **II.3.6.3 Actor-centric communicative counter-terrorism<sup>74</sup>**

*Actor-centric communicative counter-terrorism* is understood to work to dissuade current or potential proponents or sympathisers of terrorism by tackling the underlying factors, similarly to the *prevent* strand in the EU’s or UK’s counter-terrorism (Schmid 2013; Silke 2010, 11-16; II.3.2.2 above). Based on Horgan’s “process perspective” (2005, II.2.4.1 above although they work more with his other studies), El-Mafaalani et al. (2016, 3-4, auth. transl.) draw up an exemplary three-step agenda of “primary, secondary and tertiary prevention”: *primary prevention* is unspecific (“universal”) in its targets, aims to prevent radicalisation by fostering resilience and is thus at the intersection between my *target-* and *actor-centric models*; their *secondary prevention* is more specific in that it identifies and works with groups at risk, whereas

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<sup>73</sup> (Crelinsten 2014, 6-7; Crelinsten and Schmid 1992, 323-326; Hebestreit 2014, 212-215; Junk and Offermann 2014, 194-195; Maurer and Kock 2014; Mueller 2005, 496-500; Posner 2002, 687-693; Richards 2010, 192-194; Schneckener 2013, 44).

<sup>74</sup> This subsection is partly based on Korte (2019a).

*tertiary prevention* aims for the “distancing and deradicalisation” of radicalised individuals, mindful of the distinction between and lack of collinearity in moving away from radical thinking (“deradicalisation”) and preparedness for radical action or self-affiliation with a group (“disengagement”).<sup>75</sup> Parsimonious though the model sounds, the boundaries are fluid – Schmid (2013) subsumes all aspects under “counter-radicalisation” or “preventative counter-radicalisation”. For the purpose of my research, the identification of concrete *actor-centric measures* is more important than the internal delineation of their addressees. At the more preventive end of the spectrum, measures include fostering intercultural and -religious dialogue to weaken and deconstruct the dichotomy between friend and foe that is characteristic of extremist ideologies.<sup>76</sup> They can also involve education of high-risk groups in resolving differences and disputes non-violently through discussion and compromise.<sup>77</sup> In recent years, the promotion of counter-narratives online has moved into focus following recognition of the internet’s role in propaganda and recruitment.<sup>78</sup> At the more reactive end of the spectrum, *actor-centric communicative measures* can involve prison deradicalisation programmes, amnesties, dissociation laws or other offers of exit.<sup>79</sup>

### II.3.7 The counter-terrorism toolbox

Based on a strictly etymological definition of counter-terrorism as those activities undertaken by governments (or on their instruction) against, contrary or in return to terrorism, this section has introduced four heuristic models of counter-terrorism. To reiterate, these are “model[s] of ‘reality’” in Geertz’ (1993, 93-94) sense. The *coercive*, *conciliatory*, *structural* and *communicative* models each focus on different aspects of terrorism, tackling it from different angles. To recap, coercive counter-terrorism is conceptualised to raise the costs of terrorism for (potential) perpetrators by physical coercion, criminal justice or other means of interception (II.3.3). Conciliatory counter-terrorism is, mostly following aspects from Sederberg (1995), Crelinsten and Schmid (1992) and Bueno de Mesquita (2005), defined as addressing the interests of terrorist organisations in their entirety (*collective conciliation*) or only a portion thereof (*selective conciliation*) to catalyse their demobilisation, internal disintegration and sometimes radicalisation (II.3.4). In contrast to such group-specific engagement, *structural counter-terrorism* – the term borrowed from Schneckener (2006) – addresses and prevents terrorism via the external environment. I distinguish between two varieties. *Process-based (political-institutional)* policies and measures reduce the relative attractiveness of terrorism as a tactic and address grievances related to the political process. *Condition-centric* ones tackle underlying structural issues promoting what Gurr has coined as *relative deprivation* that might

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<sup>75</sup> (El-Mafaalani et al. 2016, 4, 15; II.2.4.2 above, e.g. Ferguson 2010, 111, 117, 121; Schmid 2013, 29-31).

<sup>76</sup> (Crelinsten 2014, 6; Crelinsten and Schmid 1992, 326-328; El-Mafaalani et al. 2016, 8-11; Gupta, D. 2005, 28-29; Schmid 2013, 40-47, 50-55; Schneckener 2006, 219, 222-223).

<sup>77</sup> (Bowman-Grieve 2010, 86; El-Mafaalani et al. 2016, 8-9, 11-12; Schneckener 2006, 219).

<sup>78</sup> (Bowman-Grieve 2010; El-Mafaalani et al. 2016, 14; Schmid 2013, 33-35; Wilkinson 2011, 151-152, 161-162).

<sup>79</sup> (Crelinsten 2014, 6; Crelinsten and Schmid 1992, 326-330; Heath-Kelly 2015, 49-50; Schmid 2013, 40-47).

**Table 2: Models and specifications of counter-terrorism**

Model	Specification			
<p><b>Coercive counter-terrorism</b> (≠ Crelinsten; see Pedahzur and Ranstorp 2001, 6)</p>	<p><b>“Criminal justice model”:</b> - terrorism as an “ordinary crime” - regular criminal process - police &amp; law enforcement (Crelinsten 1978; 1998; 2002; 2014; Crelinsten and Schmid 1992)</p>	<p><b>“Armed conflict model”:</b> - terrorism as a belligerent act - IHL - (para)military actors (Crelinsten 1978; 1998; 2002; 2014; Crelinsten and Schmid 1992)</p>	<p><b>“Expanded criminal justice model”:</b> - terrorism as a special crime - police, law enforcement &amp; intelligence - administrative detention - courts martial (Pedahzur and Ranstorp 2001)</p>	<p><b>“Intelligence model”:</b> - terrorism “as a threat to the security of the state” - Intelligence-guided/extrajudicial prevention - Intelligence agencies (Bhoumik 2005)</p>
<p><b>Conciliatory counter-terrorism</b> (part of Sederberg’s (1995) “conciliation”; Crelinsten and Schmid’s (1992) “accommodation”)</p>	<p><b>Collective conciliation:</b> - inclusion into political process - substitution &amp; abandonment of violence (Dixon 2015; Sederberg 1995)</p>		<p><b>Selective conciliation:</b> - amnesties, concessions, co-optation of moderates - propelling internal disintegration <u>or</u> radicalisation and coercive targeting of remainder (Bueno de Mesquita 2005; Cronin 2006; Gvineria 2009; Sederberg 1995)</p>	
<p><b>“Structural” counter-terrorism</b> (in part Schneckener (2006): <i>strukturelle Terrorismusbekämpfung</i>; similar to Crelinsten and Schmid’s (1992) “reform”)</p>	<p><b>Process-based (political-institutional):</b> - institutionalisation of political participation for under-represented groups (e.g. special rights and quotas) - territorially administered group-based autonomy rights (Gleditsch and Polo 2016; Schneckener 2006; Sederberg 1995)</p>		<p><b>Condition-centric:</b> - economic development - modernisation - anti-corruption - education - “state-building” (Crelinsten 2014; Schneckener 2006)</p>	
<p><b>Communicative counter-terrorism</b> (≠ but see Crelinsten and Schmid’s (1992) “propaganda dimension”)</p>	<p><b>Target-centric:</b> - denial of attention: e.g. censorship - fear management: e.g. information - resilience-building (Crelinsten 2014; Crelinsten and Schmid 1992; Heath-Kelly 2015; Posner 2002)</p>		<p><b>Actor-centric:</b> - “counter-radicalisation”: counter-narratives, intercultural/-religious dialogue - “de-radicalisation”: in prison, exit programmes (Crelinsten and Schmid 1992; El-Mafaalani et al. 2016; Schmid 2013; Schneckener 2006)</p>	
<p>* “≠” is to indicate that I use the same (or similar) term but with a different meaning</p>				



be conducive to recruitment and mobilisation for an ideology or cause (III.3.5). Finally, *target-centric* and *actor-centric communicative counter-terrorism* mean the explicit verbal or visual communication or its management with either the public at large in its instrumental audience function or with (potential) actors for the purpose of dissuasion (III.3.6). Table 2 summarises my models and sub-models and includes references to the most important sources and resemblances with as well as terminology borrowed from other scholars' models. Some of the subordinate models contradict each other because they are based on differing assumptions regarding the nature of terrorism or prioritise differently among its characteristics, but they are nonetheless understood as complementary.

## II.4 Authoritarian counter-terrorism in the extant literature

### II.4.1 Overview

This section introduces the state of research on regime type and counter-terrorism and locates and critically discusses the assumptions of the Paradigm this dissertation seeks to overcome. Based on Wilson and Piazza's (2013, 941) observation that such a paradigmatic assumption exists, II.4.2. collects and synthesises relevant points from the literature on terrorism, counter-terrorism and regime type. I am not the only scholar to criticise the assumption of autocratic homogeneity in that field (e.g. Aksoy et al. 2012, 823; Gaibulloev et al. 2017, 496). Meanwhile, prevailing attempts at overcoming the residual category definition problem by using the typologies of Cheibub et al. (2010) or Geddes et al. (2012; 2014) or indices such as the FH Index or Polity IV are evaluated as insufficiently addressing this problem (II.4.3.1, 4.3.4), drawing on arguments by comparativists such as Albrecht and Frankenberger (2010b) and Hadenius and Teorell (2005). Other important objections to the Paradigm's content are evidentiary, i.e. that it is not supported by empirical patterns (II.4.3.3, 4.3.5) or that the data themselves are not sufficiently reliable due to, for instance, "reporting bias" (Drakos and Gofas 2006; 2007; II.4.3.2). Further objections regard the assumption of an institutional capacity-based determinism in both its assumptions of the unrestrained capacity to use force and that that capacity directly translates into action. On these grounds the Paradigm shall be subjected to empirical testing.

Among the objections, the conceptualisation of autocracies as a "residual category" (Wilson and Piazza 2013, 942) in distinction from democracy (the residual category definition problem) weighs heaviest as a factor in the Paradigm as it is the baseline for the assumption of autocratic oppositionality. To resolve it, I follow the advice of, for instance, Albrecht and Frankenberger (2010b, 38), to use a self-standing conceptualisation of authoritarianism. Further, as starting point for the explanation of the policy variation expected, subsection II.4.3.5 identifies autocratic systems' (re)sources of legitimacy as an umbrella category from research on the sources of variation in democratic counter-terrorism. That research has focused on the responsiveness or accountability enshrined in democratic elections as a source of legitimacy

and a factor in counter-terrorism policy-making (II.4.3.5, e.g. Saygili 2019, 474). Concerning authoritarian (re)sources of legitimacy, I will thus focus on what System Theorists would call *functional alternatives* to the legitimating and policy-influencing functions of democratic electoral responsiveness.

As a complement thereto, subsection II.4.4 critically discusses the two pieces of research that currently assess variation in authoritarian counter-terrorism (Omelicheva 2007; Wilson and Piazza 2013) as well as one study of democratic counter-terrorism (Foley 2009). That discussion illustrates difficulties in explaining counter-terrorism policy not only with any of the pure institutionalist, rational choice or constructivist approaches (Omelicheva 2007, 375) but also with combinations thereof. It suggests that Beetham's (2013) conceptualisation of political systems in his Theory of the Legitimation of Power adequately bridges the gap between the more behaviouralist and the more constructivist ontologies (II.4.4.5).

#### **II.4.2 The Paradigm regarding authoritarian counter-terrorism<sup>80</sup>**

This subsection treats the core issue inspiring this dissertation: the paradigm of uniform and exclusive coercion in authoritarian counter-terrorism (the Paradigm). As stated, I am not the first to point this out but build and expand on the observations of a prevailing "view that nondemocratic regimes are monolithic and that they rely exclusively upon repression" in the field of Terrorism Studies and of that view's inconsistency with concurrent developments in Authoritarianism Studies, made by Wilson and Piazza (2013, 941). Perliger (2012, 500-501) makes a similar observation as Zhukov (2007, 439), Ucko (2015, 6-7) and Lyall (2010b, 169-170) do for the COIN-context. Based on the residual category definition of autocracies, their governments are rendered insensitive to popular grievances by virtue of the absence of democratic elections as an obligatory feedback loop for public opinion, thus denied legitimacy in toto and assumed not only capable of but indeed deploy brutally repressive means to counter terrorism.<sup>81</sup> Further elements to this Paradigm include expectations of the absence or waiver of standards of due process, evidence, reasonable suspicion and other rights of an accused, the rendition of high sentences including death penalties and guilt by association, targeted killings and summary executions.<sup>82</sup> In line with their general tendency to disrespect civil liberties, autocrats are deemed to have great intelligence and surveillance capacities, allowing them to target potential terrorists coercively at the earliest stage.<sup>83</sup> Finally, censorship

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<sup>80</sup> This subsection is partly based on elements from my comparative legal research project (Korte 2018a; 2018b; 2019b).

<sup>81</sup> (Abrahms 2007, 229, 249-250; Ash, K. 2016, 116-117; Bogaards 2018, 2; Chalk 1998, 386; Chenoweth 2006, 7; Korte 2019b; Li, Quan 2005, 5-6; Magen 2018, 116; Piazza 2007, 523; Pokalova 2013, 281-283; Saygili 2019, 474; Wilson and Piazza 2013, 941-943; Zhukov 2007, 441, 459). To my recollection, Byman's (2016, 71) admission that autocratic governments can be "legitimate" for one set of social actors but not for the population as a whole" and Wilson and Piazza's (2013, 942) hunch to look at "domestic sources of support for the regime" in exploration "of state capacity for dealing with terrorists" are the closest approximations to acknowledging something akin to legitimacy in autocratic systems in the extant counter-terrorism literature.

<sup>82</sup> (ibid and also Ghatak et al. 2019, 443-444; Kydd and Walter 2006, 61; Lutz and Lutz 2010, 63).

<sup>83</sup> (ibid (notes 81-82) and also Byman 2016, 70, 76-77; Fjelde 2010, 199; Wade and Reiter 2007, 332).

and control of the media are thought to allow autocratic governments to hush up any ideational challenge at the nascent stages and, later, deny terrorists attention.<sup>84</sup>

### II.4.3 Objections to the Paradigm on authoritarian counter-terrorism

#### II.4.3.1 Preliminary evidentiary and logical objections

It is tough to pinpoint the origin of the Paradigm because, more often than providing the source of or evidence for these assumptions, scholars do neither or merely refer to theoretical arguments in earlier literature.<sup>85</sup> The extant terrorism literature is mostly interested in democracies and how different aspects thereof relate to terrorism (e.g. Ghatak et al. 2019, 439), only a very small subset thereof in their counter-terrorism policy choices (Omelicheva 2007, 375). Authoritarian counter-terrorism can thus far not be considered a self-standing matter of genuine academic interest.

In terms of content, the Paradigm clearly contains elements of what Eyerman (1998) calls the *strategic school's* arguments, specifically that which subsumes an estimate of states' counter-terrorism behaviour as a risk factor anticipated by rational terrorist actors in their calculations and thus reflected in attack patterns. Democracies are typically considered more attractive targets since rule of law requirements such as high standards of evidence or thresholds for guilt in court and electoral dependence on a public not to be alienated by unconstitutional counter-terrorism activities are thought to prevent democratic governments from coercively pursuing terrorists.<sup>86</sup> Importantly, Eyerman (1998, 164-166) himself only proposed the logic without being able to either prove or discount the underlying mechanism.

Where reasons or evidence of that mechanism are cited, they are contradictory. Sometimes, it is a lower quantitative occurrence of terrorism in autocracies compared to democracies (e.g. Crenshaw 1981, 383; Li, Quan 2005; Lutz and Lutz 2010, 69) or finding of an "inverted U-shape" in association with the claim of coercion's expediency in minimising terrorism.<sup>87</sup> The persistence of the latter argument even in the most recent publications (e.g. Gaibullov et al. 2017, 492; Ghatak et al. 2019, 443-444) is surprising – the insight that more or heavier coercion does not necessarily do a better job is a well- and long-established insight (e.g. Crelinsten and Schmid 1992, 319; Lake 2002, 22).<sup>88</sup> Moreover, coercion has been shown to cause backlash

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<sup>84</sup> (Byman 2016, 79-90; Ghatak et al. 2019, 444; Kydd and Walter 2006, 62; Piazza 2015, 4, 6; Savun and Phillips 2009, 881, 884-885; Ucko 2015, 3, 8-9).

<sup>85</sup> (e.g. in Chenoweth 2006, 7; Ghatak et al. 2019, 443-444; Pape 2003, 350; Wade and Reiter 2007, 331, 333).

<sup>86</sup> (Crenshaw 1981, 382-383; Eyerman 1998, 154; Ghatak et al. 2019, 441, 443-444; Korte 2019b; Li, Quan 2005, 5-6; Lutz and Lutz 2010, 64; Pape 2003, 349-350; Perliger 2012, 526-527; Piazza 2007, 523; Wade and Reiter 2007, 332; Wilson and Piazza 2013, 944-945, 951). A full discussion of the different arguments presented in the so-called *strategic* and *political access schools of argumentation* based on varying emphases on factors in Sandler et al.'s (1983, 39) budget calculation (II.2.2) is omitted since these are more relevant to the genesis of terrorism than to counter-terrorism (except for II.3.5)

<sup>87</sup> (e.g. Gaibullov et al. 2017, 492-493, 496-497; Magen 2018, 116-117; Wade and Reiter 2007, 334). However, note that Eubank and Weinberg (1994; 2001), for instance, find stable democracies targeted frequently.

<sup>88</sup> Sederberg (1995, 301-303) also already provides a sobering account of the scope conditions of deterrence in the rational actor model, rendering its functionality on the ground highly questionable.

by Parker (2007), Piazza (2007, 167; 2015, 2) and Walsh and Piazza (2010), thereby even helping in rather than deterring terrorist actors from pursuing what Kydd and Walter (2006, 69-73) call a “strategy of provocation” (II.2.2.3; see Bueno de Mesquita and Dickson 2007, 364; Gvineria 2009, 266). This renders the paradigmatic notion of authoritarian coercion yet more surprising.

The presumption of reliance on repression in authoritarian counter-terrorism is also erroneous in its assumption of coercion to generally constitute a defining characteristic of authoritarian governance, for instance, by Zhukov (2007, 461), also noted by Wilson and Piazza (2013, 941-942). As in any other political setting, forcefully safeguarding dictators’ grip on power is neither effective nor efficient, and it is also costly.<sup>89</sup> Current scholars of authoritarianism agree that autocratic governments, like democratic ones, need and generate legitimacy to survive.<sup>90</sup> Even then, *legitimacy* has not received the same attention in the autocratic context as it has in the democratic one; *legitimation* is typically understood as a top-down steered process there, an accessory to stabilising a system that itself lacks legitimacy (Kailitz 2013, 40-41) rather than being an ends in itself; particularly, where scholars apply System Theory following Easton, Parsons or Lipset as a larger analytical framework and combine it with Weber’s notion of *legitimacy belief* (*Legitimitätsglaube*).<sup>91</sup> The assumption of the intentionally deployed and accessory rather than natural character of legitimation in that context is reflected in the use of such terms as “legitimation strategy”<sup>92</sup> or “legitimacy claims”.<sup>93</sup> Yet, as I discuss at II.5.3 below, relying on Beetham’s (2013) Theory of the Legitimation of Power, there are good reasons to conceptualise authoritarian legitimacy at a deeper level than instrumentality. Meanwhile, the facts that legitimation is discussed next to repression in the context of authoritarian governance at all, and that repression cannot be taken to forestall or eradicate terrorism, warrant logical doubts as to the truthfulness of the Paradigm’s claims regarding coercion as typical and useful in autocratic counter-terrorism.

#### **II.4.3.2 Evidentiary objection: “reporting bias”**

Those studies that conclude that autocratic governments’ repressive capabilities are (at least partially) responsible for a low count of terrorist attacks (Lutz and Lutz 2010, 69; Magen 2018, 116; Pape 2003, 349-350) can be considered vulnerable to the problem of “reporting bias”.

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<sup>89</sup> (e.g. Aksoy et al. 2012, 812; Byman 2016, 84-85; Fjelde 2010, 199; Gandhi 2010, 76; Gandhi and Przeworski 2007, 1281; Gerschewski 2013, 18, 21; Kailitz and Wurster 2017, 144; Schmelzle 2011, 11; von Soest and Grauvogel 2015, 5; 2017, 2; Wintrobe 2009, 365-367).

<sup>90</sup> (Albrecht and Frankenberger 2010b, 51; 2011, 36; Bank 2010, 24-25; Croissant and Wurster 2013, 7-8; Gerschewski 2013, 18-21; von Haldenwang 2017, 5; Holbig 2013, 63-65; Kailitz and Wurster 2017, 144; Mazepus et al. 2016, 350-354; Pickel, G. 2010, 180-181, 196-200; Schedler 2002, 36-37).

<sup>91</sup> (Albrecht and Frankenberger 2011, 36-37; Gerschewski 2013, 18-21; Kailitz 2013, 40-41; Kailitz and Wurster 2017, 142; Mazepus et al. 2016, 350-354; Pickel, G. 2010; Pickel, S. and Stark 2010).

<sup>92</sup> (von Haldenwang 2016; Kailitz and Wurster 2017; Kneuer 2017, 186; Mazepus et al. 2016; von Soest and Grauvogel 2017; Wurster and Kailitz 2017).

<sup>93</sup> (Dukalskis and Gerschewski 2017; Grauvogel and von Soest 2017; von Haldenwang 2016; von Soest and Grauvogel 2015; 2017).

Most prominently on this subject, Drakos and Gofas (2006; 2007) investigate how authoritarian governments' tendency not to report incidents of terrorism distorts incident data towards an unrealistically low count. Following up on arguments *inter alia* in Eyerman (1998, 155-156) and Li Quan and Schaub (2004, 239, 249), they argue that common terrorism incident databases' such as ITERATE are vulnerable to "under-reporting bias" because they are based on open-source incident reports by governments and media.<sup>94</sup> Many authoritarian regimes are always tight-lipped when it comes to dissidence, opposition and terrorism, and mechanisms of press censorship presumably allow them to control media content (Abrahms 2007, 234; Drakos and Gofas 2006, 715). Following Chenoweth (2013, 363), the Global Terrorism Database is less vulnerable to this problem because it also relies on private intelligence. On the flipside of the coin, she suggests that, since two effects of the GWOT have been the growth of a latent acceptance of violations of human rights and the rule of law in the course of counter-terrorism as well as US military aid for other countries who are victims of Islamist terrorism, there now exists an incentive for *over-reporting* instead of *under-reporting* (372-373). Both types of bias cast doubts on the reliability of much of the large-N research that involves attack patterns, specifically concerning autocracies.

#### **II.4.3.3 Evidentiary and conceptual objections regarding regime type**

Even in the most recent research on the relationship between regime type and terrorism, findings are diverse to the degree that any and all types of correlations are encountered.<sup>95</sup> This inconsistency creates the first, evidentiary, objection to any claim that the causes of findings are counter-terrorism capacities. A factor that diversity is often attributed to is the conceptualisation, operationalisation and measurement of regime type, specifically the assumption of homogeneity among autocracies in their oppositionality to democracy.<sup>96</sup> The persistence of this second, conceptual, objection raises further doubts in the utility of such studies in examining autocratic counter-terrorism capacities.

Wilson and Piazza (2013, 942) in their account of the state of research point to the problem that the commonly encountered "residual category" conceptualisation of autocracies is inconsistent with conceptual and analytical developments in the Authoritarianism Studies/Comparative Politics literature. That point and the accordingly problematic nature of implications drawn from it have also been recognised by other terrorism scholars in recent years (*ibid.* and also e.g. Aksoy et al. 2012; Gaibulloev et al. 2017; Magen 2018) as well as by scholars in the civil conflict/COIN literature (e.g. Fjelde 2010, 196, 215). Comparativists refer to this as part of *democracy bias* which includes a research focus on democratic polities and a preoccupation with political transformation processes towards democracy, probably better

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<sup>94</sup> (Chenoweth 2013, 363; Drakos and Gofas 2006, 715; Sandler and Enders 2004, 304).

<sup>95</sup> (e.g. Campos and Gassebner 2013, 29-30; Gaibulloev et al. 2017, 492; Ghatak et al. 2019, 457).

<sup>96</sup> (Aksoy et al. 2012, 812, 823; Gaibulloev et al. 2017, 494, 496; Magen 2018, 113; Wilson and Piazza 2013, 942).

captured by the term *democratisation bias*, manifesting itself inter alia in the way in which *autocracy* is conceptualised and typologised.<sup>97</sup> For the field of Comparative Politics, where Albrecht and Frankenger (2010b, 46; 2011, 26-27) find such “ex negativo definitions” somewhat surprisingly popular, they repeatedly point out how ill-suited, even harmful, the underlying normatively charged diagnosis of non-democraticness is to conceptualising the functioning of otherwise – and indeed otherwise better – differentiable autocratic systems (see Köhler and Warkotsch 2010, 61-63). That is because, being a residual category, *authoritarianism* lacks any indigenous characteristics meaningful to the study of regime durability – a prominent research interest in Comparative Politics<sup>98</sup> – as much as to the study of policy variation. Then, it is somewhat puzzling how such a conceptualisation should tell us anything about counter-terrorism preferences. Despite the fact that, like Wilson and Piazza (2013, 941-942), Magen (2018, 113) and Aksoy et al. (2012, 812), the latter citing Geddes (1999, 121), also recognise the problems such conceptualisation practices pose for Terrorism Studies field, the common wisdom that a problem well stated is a problem half solved has not held true. The conclusive remarks chosen by a well-recognised scholar in the Terrorism Studies field in a recent article still epitomise that the normative underpinnings of said *democracy bias* – which Boyle (2011) and Chenoweth (2013, 356) had already noted earlier – persist: “we should not forget that authoritarian regimes are repugnant” (Byman 2016, 88). Moreover, in following arguments on the various ways of typologising autocratic systems in the Comparative Politics literature, I argue that even those studies that do disaggregate the nondemocratic category into subtypes (e.g. Conrad et al. 2014; Wilson and Piazza 2013) cannot free themselves of said *democracy bias*. That is because of – following the generic arguments of Albrecht and Frankenger (2010b, 43-47) – the inherently biased nature of the indices used or the distinction rules that underlie them (II.4.3.4). Overcoming that *democracy bias* in the academic view on authoritarian counter-terrorism is thus not just a matter of “unpacking” a hitherto considered to be monolithic category as suggested by Wilson and Piazza (2013) but equally importantly a matter of *how* that is done.

#### **II.4.3.4 Conceptual objections to seemingly non-dichotomous regime typologies<sup>99</sup>**

In the literature on terrorism and regime type, the most popular ways of “unpacking” *autocracy* are the regime typologies and datasets constructed by Cheibub et al. (2010, ~CGV) and Geddes et al. (2012; 2014, ~GWF). Where scholars differentiate between authoritarian regime types, CGV is used, for instance, by Aksoy et al. (2012, 815), Ghatak et al. (2019, 448-449) and Saygili (2019, 480), and GWF by Aksoy et al. (2015, 427, 438) or Conrad et al. (2014,

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<sup>97</sup> (e.g. Albrecht and Frankenger 2010b, 37-38, 43-47; 2011, 17-18; Holbig 2011b, 168).

<sup>98</sup> (Albrecht and Frankenger 2010b, 38, 45-47; 2011, 25-27; Köhler and Warkotsch 2010, 62-63).

<sup>99</sup> Discussion of the CGV typology in the second paragraph is partly based on Korte (2019b).

544). Wilson and Piazza (2013, 946-947) use a combination of the two. Both typologies carry a similar problem.

CGV's typology is based on what Albrecht and Frankenberg (2010b, 46; 2011, 26-27) call an "ex negativo definition" of authoritarianism, with extremely strict rules of distinction in the first category. The specific criteria of *democracy* according to non-conformity with any one of which a state is classified as a *dictatorship* relate to the condition that "governmental offices are filled as a consequence of contested elections" (Cheibub et al. 2010, 69). They count elections as *contested* when they conform to the criteria of *ex ante uncertainty*, *ex post irreversibility* and *repeatability* developed by Przeworski (1991). CGV then define *dictatorships* as those systems that, with the addition of the *alternation rule* following Alvarez et al. (1996), conform with less than all four criteria (Cheibub et al. 2010, 69).<sup>100</sup> Applying the conceptual typology of Collier and Mahon (1993), I identify CGV's authoritarianism concept as a top-down "classical typology" (or "taxonomy") with exhaustive subtypes: all secondary (subordinate) categories share the defining properties of the primary (superordinate) category but are distinguishable via additional other criteria (845-846, 849-850). The cited distinction rule in the primary category, however, induces a notion of constant opposition to democracy in the authoritarian categories. As a matter of fact, Albrecht and Frankenberg's (2011, 26-27) verdict on the lack of utility of "ex negativo definitions" regards precisely Przeworski's distinction rules, which underlie the Cheibub et al. (2010, 69) typology. CGV subsequently distinguish three types of authoritarian regimes according to "how dictators can be removed and by whom" (89). Even though that second distinction rule renders the autocratic subtypes non-dichotomous, it does not deal away with the initial dichotomy and thus leaves CGV epitomising rather than solving the residual category definition problem which Wilson and Piazza (2013, 942) wanted to circumvent. In as much as the primary distinction rule creates the false impression of non-democracies' homogeneity (e.g. Aksoy et al. 2012, 823; Fjelde 2010, 196, 215), it creates what Sartori (1994, 20) calls a "pseudo-class". The upshot is that both CGV as an authoritarianism typology and Wilson and Piazza's insights on counter-terrorism based on it have to be considered problematic for our purposes.

Similar criticism can be directed at GWF (1999; 2012; 2014) although their qualitative criteria at the secondary level are preferable to CGV's. The reason is that their distinction rule at the primary level also refers to the criterion of "direct, reasonably fair, competitive elections", even with stronger additional criteria than CGV, failure to comply with which renders a system "undemocratic". That is despite the fact that Geddes et al. (2014, 317) claim for their typology that "autocratic is not a residual category". Interestingly, the fact that at the basis of the GWF

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<sup>100</sup> Failure to meet all of the requirements of a democracy definition to lead to classification as a *non-democracy* is, according to Schedler (2002, 39-41) who discusses it in the context of the *democracy* definition of Robert Dahl, a common feature across regime typologies.

conceptualisation and dataset lies another troublesome dichotomous distinction (the electoral rule cited) is something I have only found appreciated by Wahman et al. (2013, 31). Meanwhile, the fact that even some of the most well-received attempts at approaching a new authoritarianism conceptualisation or at drawing up category-internal differentiations is not unusual but even typical for Comparative Politics as a discipline in light of its historical roots in the study of systemic transition or transformation processes.<sup>101</sup>

An alternative way of treating regime type in the extant Terrorism Studies literature has been to rely on indices capturing what Hadenius and Teorell (2005, 8-9, 15-19), Cheibub et al. (2010, 72-74) and Lauth (2010, 99, 110-11, auth. transl.) distinguish as *substantive (materiell)* rather than *basic procedural (prozedural)* characteristics of democracy. The FH Index is used, for instance, by Abadie (2006, 51-53), Campos and Gassebner (2013, 33-34), Krueger and Laitin (2007, 20) and Weinberg and Eubank (1998, 109-113). Polity IV is most recently used by Ghatak et al. (2019, 447-449), Gleditsch and Polo (2016, 215) and Saygili (2019, 480).<sup>102</sup> Gaibulloev et al. (2017, 504-505) and Wade and Reiter (2007, 337-338) combine the two. Yet, as Albrecht and Frankengerger (2010b, 43-47; 2011, 18-23) discuss, the core problem in applying these indices to autocratic systems is that they are also constructed operationalising individual components of a democratic ideal type and are thus incapable of capturing what they call the “original defining characteristics of authoritarian political systems” (Albrecht and Frankengerger 2010b, 38 auth. transl.).<sup>103</sup>

A second problem that sits with any type of classification that conceives of democracies and autocracies as opposites is the denial of legitimacy to autocracies. It is commonly accepted that free and fair elections in democracies procedurally legitimate the incumbents of political offices (e.g. Beetham 2013, xv; Kailitz 2013, 41; Wigell 2008, 234). Yet there is a difference between deducing from imperfect compliance with such procedural criteria that, first, at least that type of legitimation is deficient in autocracies and that they, secondly, thus suffer from a “structural legitimation deficit” (Albrecht and Frankengerger 2010b, 53, auth. transl.) or are at least “structurally disadvantaged” in that realm (Croissant and Wurster 2013, 7, auth. transl.). It is also a far stretch to deduce that legitimacy is therefore absent in toto, a point which Kailitz and Wurster (2017, 143-144) note to persist even in the authoritarianism literature. The same point is characteristic of the institutionalist capacity-based determinism enshrined in the

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<sup>101</sup> (Albrecht and Frankengerger 2010b, 38-45; Bank 2010, 21; Köhler and Warkotsch 2010, 63, 65-66).

<sup>102</sup> (see Aksoy and Carter 2014, 192-194; Burgoon 2006, 189; Conrad et al. 2014, 544, 546; Perliger 2012, 500; Piazza 2015, 7-9).

<sup>103</sup> Transl. from “originäre definitorische Merkmale von autoritären politischen Systemen” (see Albrecht and Frankengerger 2010b, 43-47; 2011, 26-27; Kailitz 2013, 39; Wigell 2008, 232). As I am primarily interested in inter-authoritarian variation in counter-terrorism policy rather than in a comparison with democracies, a discussion of typologies involving so-called “diminished subtypes”, “hybrid regimes” or regime types “with adjectives” (see Albrecht and Frankengerger 2010b, 40-43; Bank 2010, 29-30; Köhler and Warkotsch 2010, 64-70; Lauth 2010, 107-108; Wigell 2008) is omitted here. It should also not go unmentioned that the reliability of “basic procedural” (*prozedural*) compared to “substantive” (*materielle*) definitions is contested for the identification of the democratic spectrum, too (e.g. Hadenius and Teorell 2005, 8-9, 15-18; Lauth 2010, 99, 110-111; Schedler 2002, 37).



Paradigm. However, imperfect compliance does not necessitate illegitimacy; in fact, concluding the latter from the former is frankly bad logic. To provide only one reason, we might refer to any account of legitimacy to find that electoral procedural legitimation is but one factor in democratic legitimacy: von Haldenwang (2016, 7), for instance, conceptualises no less than seven “modalities of legitimation” only one of which is “procedural legitimation”.

Accordingly, neither said (composite) indices nor GWF and CGV, as two prominent regime typologies with nominal categories in the field of Terrorism Studies, can be said to adequately address the residual category definition problem identified in Wilson and Piazza (2013, 492). Any conclusion as to the role of regime type in either the occurrence of terrorism or counter-terrorism strategies based on these typologies’ classificatory markers, even if made under the acknowledgement that inter-authoritarian variation exists, is hamstrung by their failure to account for that variation at either a theoretical level or by choice of the distinction rules – points criticised by terrorism scholars using these very typologies (e.g. Aksoy et al. 2012, 812). Following Köhler and Warkotsch’ (2010, 70-71, 76) reminder that the purpose of classification is to identify and group cases and traits in a manner useful to the research project at hand, the next subsection identifies responsiveness and legitimacy as concepts important in discussions of democratic counter-terrorism. These are thus fruitful starting points for investigating the inter-authoritarian policy variation I assume exists and for the choice of an authoritarianism concept and typology.

#### **II.4.3.5 The nexus between “casualty sensitivity”, responsiveness and legitimacy<sup>104</sup>**

As already stated, democracies are commonly considered to refrain from violating the rule of law, curtailing civil liberties and political rights, human rights violations and the unsanctioned use of force in counter-terrorism as the electorate they are accountable to would punish this at the polls and the government would lose its legitimacy.<sup>105</sup> On the one hand, it has long been recognised that striking the balance between security and liberty as part and parcel of a liberal democratic constitution of sovereignty is by no means easy.<sup>106</sup> On the other hand, the extant literature<sup>107</sup> is united in suggesting that liberal democracies somehow do manage without resorting to excessive repression, a line of argumentation which I follow Lyall’s (2010b, 169) summary thereof in the COIN context in referring to as *democratic restraint*. The Paradigm, as, for instance, most recently contained in Saygili (2019, 474), then assumes an absence of that

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<sup>104</sup> This subsection is partly based on Korte (2019b).

<sup>105</sup> (Abrahms 2007, 224, 249-250; Conrad et al. 2014, 542; Crenshaw 1981, 383; Ghatak et al. 2019, 443-444; Korte 2019b; Li, Quan 2005, 3, 5; Lyall 2010b, 167-170; Piazza 2007, 523; Saygili 2019, 471; Wilson and Piazza 2013, 945).

<sup>106</sup> (e.g. Chalk 1998, 374; Crelinsten and Schmid 1992, 330; Sederberg 1995, 298). For very comprehensive general discussions that have predominantly informed my legal project (Korte 2018a; 2018b; 2019b) see Davidson Gray (2017), D. Davis and Silver (2004), Donohue (2008), Gearty (2013; 2015), Gross (2001), Hardy and Williams (2011), Laguardia (2016), B. Meyer (2002), C. Walker (2007), Wetzel (2011) or Zöller (2004).

<sup>107</sup> (Abrahms 2007, 224, 249-250; Conrad et al. 2014, 542; Crenshaw 1981, 383; Ghatak et al. 2019, 443-444; Korte 2019b; Li, Quan 2005, 3, 5; Lyall 2010b, 167-170; Piazza 2007, 523; Saygili 2019, 471; Wilson and Piazza 2013, 945).

restraint in line with the absence of legitimacy considerations in absence of perfectly democratic elections in autocracies qua what Albrecht and Frankenberger (2010b, 46; 2011, 26-27) call an “ex negativo definition” along “procedural, minimalist” standards for conceptualising its democratic opposite (Cheibub et al. 2010, 69-73). The Paradigm also assumes this to capacitate and cause the use of coercion.

First, it should be noted that the notion of *democratic restraint* is not consistently supported by empirical evidence (Chenoweth 2013, 367; Lyall 2010b, 169-170; Saygili 2019, 471-472). An opposing view contends that, democracy’s distinctive features being politics’ conformity with the will of the people, it is the will of the people and the mechanism of its transmission into policy that determines the shape of counter-terrorism policy rather than rendering democratic counter-terrorism policy a constrained or, alternatively, “hawkish” constant; in that line of argumentation, democracies so-called “casualty sensitivity” is thought to render them more coercible compared to autocracies.<sup>108</sup> Others (Berrebi and Klor 2008; Kilbric 2011, 226; Kydd and Walter 2006, 62) argue that the same properties raise democracies’ resolve to fight terrorism which may involve particularly coercive policies. Propositions as to the origins of that resolve, regardless of its direction, vary (cf. Abrahms 2007, 226; Li, Quan 2005, 4). Thus, the relative mechanisms and effects of *casualty sensitivity* even among democracies are far from clear (Blankenship 2018, 388, 395). So even if we assumed that autocracies were the opposite of democracies and democratic counter-terrorism thus an adequate basis for inferring authoritarian counter-terrorism’s characteristics, a problem remains that democratic counter-terrorism is already in its coercive capacity neither homogenous nor constant. Meanwhile, the process underlying *casualty sensitivity* is instructive for further research there.

*Casualty sensitivity* is investigated by Conrad et al. (2014) through *audience costs* to explain in Eyerman’s (1998) *strategic* manner why certain political systems are particularly attractive targets for terrorism. The baseline is Weeks’ (2008, 37, 44) specification that “audience costs require that a domestic political audience has the means and incentives to coordinate to punish the leader” and her research on such audiences’ existence and impact across regime types (II.2.3.2). Building on that definition in the terrorism context, Conrad et al. (2014, 541-543) argue that only in democracies, elections are a unique path to enforce responsiveness<sup>109</sup> and thus impose *audience costs* on the government. The primary avenue where responsiveness is created in democracies and can also be observed is the electoral process: it simultaneously transmits information and potentially entails two types of sanctions: removal from office or selection of alternative candidates (Lambach and Göbel 2010, 87-88).<sup>110</sup> Terrorists can

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<sup>108</sup> (Abrahms 2007, 228-229; Chenoweth 2013, 366; Ghatak et al. 2019, 443-444; Kydd and Walter 2006, 60-62, 71-72; Pape 2003, 349-350; cf. Saygili 2019, 470).

<sup>109</sup> I understand *responsiveness* following Lambach and Göbel (2010, 79, 87-88, inter alia citing Dahl 1971, 1) as a political system’s readiness to react to demands and shocks to avoid destabilisation without resorting to the use of force (see Albrecht and Frankenberger 2010a, 13-14; 2010b, 51), here the government’s to citizens’ preferences.

<sup>110</sup> See Aksoy and Carter (2014) for effects of *electoral permissiveness* on terrorism in democracies.

instrumentalise these options to effectuate a policy change by directly or indirectly addressing a constituency the government is accountable to (Conrad et al. 2014, 541). The prevailing assumption, recapitulated in Aksoy et al. (2015, 463) and Saygili (2019, 474), which also underlies the Paradigm, is that such accountability-generated responsiveness and casualty sensitivity are unique to democracies.

Both Weeks (2008) and Conrad et al. (2014), however, find what Albrecht and Frankenger (2010b, 48-51, citing the System Theory of Parsons 1951, 167), call *functional alternatives* to elections as a mechanism of accountability and responsiveness in autocracies. Namely, they show significant differences between authoritarian subtypes depending on which elites can pressurise the executive into policy change by “the threat of punishment or removal from office” (Conrad et al. 2014, 543-544, 546-548). Although Aksoy et al. (2015, 462-463) are primarily interested in coup activity, their finding that dictators are also held accountable by punishment through their primary supportive constituencies if they fail to quell violent challenges implicates the same: the necessity to refrain from rejecting the presence of responsiveness in autocracies per se for mere imperfect compliance with criteria tied to the embodiment of one type of accountability in democracies where it is found in the electoral process (Lambach and Göbel 2010, 87-88). So far, this has been the case because procedural definitions of democracy are based on that very process and thus require that same accountability (Weeks 2008, 37) whereas so-called “ex negativo definitions” (Albrecht and Frankenger 2010b, 46; 2011, 26-27) claim an absence of that accountability for the residual non-democratic category by the logic of their construction.

This analysis of the nexus between *casualty sensitivity*, responsiveness/accountability and how it is enshrined in the conceptualisations of regime type underlying the Paradigm as well as in the Paradigm itself provide several additional arguments that Wilson and Piazza’s (2013, 942) hunch to examine “existing institutions and domestic sources of support for the regime” in exploration “of state capacity for dealing with terrorists” is a promising one. Namely, the literature on democratic counter-terrorism pins democratic legitimacy down to the process of electoral legitimation and the responsiveness to popular opinion it enforces through the accountability it entails. The latter becomes a condition of democratic legitimacy and legitimacy more broadly, and responsiveness and legitimacy jointly emerge as factors that influence counter-terrorism strategic choice even if the direction of their impact is empirically problematic. Responsiveness is relevant to understanding variation in counter-terrorism policy via the nexuses of *casualty sensitivity* via accountability and various constraints on coercion as demonstrated for *audience costs* by Weeks (2008), Conrad et al. (2014) and Aksoy et al. (2015). Then, if there are *functional alternatives* to democratic elections for the generation of responsiveness in autocracies, those functional alternatives for responsiveness and generating legitimacy are worth investigating in the exploration of policy variation in

authoritarian counter-terrorism. Importantly, as suggested by Saygili's (2019, 496) and Ucko's (2015, 5) admonition to consider strategy-relevant factors aside from regime type, including aspects of agency, these (re)sources of legitimacy need not necessarily be constitutive of or contained in the conceptualisation of regime type.

#### **II.4.3.6 Summary: objections**

As this subsection has demonstrated, there is a plethora of objections to the assumption of homogeneously coercive counter-terrorism caused by a lack of what Lyall (2010b, 169) calls *democratic restraint* absent electoral accountability-driven responsiveness in autocracies. Important objections raised include evidentiary objections of *reporting bias* in the terrorism data (II.4.3.2 above, e.g. Drakos and Gofas 2006) along with a larger problem of spurious, lacking or inconsistent evidence in regime type-related research (II.4.3.1, 4.3.3 above, e.g. Ghatak et al. 2019, 457). The position that repression is an expedient counter-terrorism technique and reduces terrorism's occurrence in autocracies is empirically indefensible (II.4.3.1 above, e.g. Piazza 2015, 2). It can be linked to the wrongful assumption of coercion to be a typical and defining characteristic of authoritarian governance (e.g. in Zhukov 2007, 461). That assumption is logically tied to the residual category definition problem pointed out by Wilson and Piazza (2013, 942) which denies autocracies the characteristics of responsiveness, legitimacy and restraint per what comparativists refer to as an "ex negativo definition" of autocracy which precludes accountability and thereby both the responsiveness it enforces and the legitimacy it creates. On the one hand, the notion of oppositionality such a distinction induces is deeply problematic conceptually. Even prima facie non-dichotomous conceptualisations of regime type as contained in CGV and GWF – though praised as gold standards by terrorism scholars seeking to avoid said residual category definition problem (e.g. Wilson and Piazza 2013, 946-947) – have been shown to also suffer from what comparativists call *democracy bias*, normatively and by the procedural distinction rules they rely on (II.4.3.4 above, e.g. Wahman et al. 2013, 31). On the other hand, even if the presumed oppositionality held true, the state of research on the impact of different types of democracy on counter-terrorism strategy as a function of responsiveness has thus far failed to find a consistent pattern (II.4.3.5 above, e.g. Blankenship 2018, 387-388). It forms an inadequate baseline for the reverse inference of autocratic counter-terrorism. The Paradigm is thus indefensible on grounds of evidentiary, conceptual and logical objections and should be subjected to empirical testing.

Above and beyond the fact that Terrorism Studies does not, in fact, know much about what conditions authoritarian counter-terrorism (Omelycheva 2007, 375), this discussion yields three insights for furthering that research. First, it substantiates the need for a re-conceptualisation and investigation of the category of autocracies as already found by Wilson and Piazza (2013, 942). In doing so, I adopt their suggestion to investigate "existing institutions and domestic

sources of support for the regime” (ibid). I also follow the advice of comparativists to use a typology that systematically captures generically authoritarian and inter-authoritarian differential characteristics (II.4.3.4, II.5.2, e.g. Albrecht and Frankenberger 2010b, 38). One reason is that research on autocratic *audience costs* (II.4.3.5 above, e.g. Conrad et al. 2014) and on the genesis of terrorism in autocracies (e.g. Aksoy et al. 2015, 462-463) indicates the existence and significance of accountability in that systemic context, too. Moreover, responsiveness and accountability matter in democratic counter-terrorism because of and also having a legitimating function (II.4.3.5). It is therefore necessary to investigate not only autocratic responsiveness as enshrined in elections but also alternative sources of legitimacy and mechanisms of legitimation as potential sources of policy variation – a point suggested but not followed up on by Wilson and Piazza (2013, 942). Third, this is in line with and can thus be suitably informed by comparativists’ discussion of legitimacy or at least legitimation, even if the latter is only conceived of as stabilising accessory in much of that literature (II.4.3.1 above, e.g. Gerschewski 2013).

## **II.4.4 Alternative theoretical explanations of counter-terrorism strategies**

### **II.4.4.1 Overview**

Thus far, only two pieces of original research have differentially investigated authoritarian counter-terrorism strategies, identified non-coercive elements and accounted for variation: Wilson and Piazza (2013) and Omelicheva (2007). This subsection investigates these along with a relevant examination of democratic counter-terrorism by Foley (2009) to extract further fruitful points for the comparative exploration of variation in authoritarian counter-terrorism. The first study (Wilson and Piazza 2013) is narrowly restricted on institutions as deterministic capacities. The second (Omelicheva 2007) and third (Foley 2009) offer alternative accounts of why and how governments and counter-terrorism institutions come to choose different options based on different combinations of more positivist rational choice and more constructivist arguments. The upshot is that a compromise is required that mitigates between the two poles. It should take into account the various forms and functions institutions take and play, their agency and the role that kinetic and non-kinetic components of terrorism as a threat may play in threat evaluation and accordant response. Such a middle-way is found in Beetham’s (2013) *Theory of the Legitimation of Power*.

### **II.4.4.2 The institutionalist view: Wilson and Piazza (2013)**

Wilson and Piazza (2013, 942-946) explain the varying occurrence of terrorism across six regime types with their varying strategic attractiveness. This is based on whether their “institutional capacities” to coerce, co-opt or do both potentially incur higher or lower risks of illegal activity for terrorist groups and thus attract or deter them (ibid).<sup>111</sup> Their regime types are

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<sup>111</sup> Their entire argument is similar to the extent of analogy to Fjelde’s (2010, 195-204) concerning the impact of authoritarian institutions and their “capacity for coercion and co-optation” on civil conflict outbreaks.

*democracies* and *personalist, military, single-party, monarchic* and *mixed regimes* (948). Wilson and Piazza (2013, 945-946, 951-953) find the highest number of terrorist incidents in *democracies* and *military regimes* and the least incidents in *single-party autocracies*, arguing that this is due to their unique institutional capacity to combine *coercion* and *co-optation*. They contribute seminally to the field by using multivariate typologies for autocracies and counter-terrorism strategies and also by first linking the two, providing the original impetus for this dissertation. However, I find their model to have three major flaws.

First, they deterministically assume that states' capacity to pursue a certain counter-terrorism strategy works as a sufficient deterrent for terrorists whereby it is unclear whether that is because some types are factually more effective counter-terrorists (941) by virtue of the types of responses they are institutionally predisposed to pick or because the predisposition itself is a signal to (potential) terrorists (942, 944-945). Either way, the assignment of a solely co-optive strategic repertoire to democracies (e.g. 942, 945) without further account for their manifest occasional propensity to apply brute force (II.4.3.5 above, e.g. Berrebi and Klor 2008) is problematic. So is the broader expectation that governments will always react to terrorism in line with the "institutional makeup" or "institutional capacities", rendering that a necessary and sufficient cause of counter-terrorism policy choice and its variation (Wilson and Piazza 2013, 944-945, 951-953). Although they control for a range of other hard factors (951-952), that institution-centric explanation disregards factors that might also shape states' rather than institutional capacities, governmental agency (see Ucko 2015, 5) or factors that are either not capacity-related or at least not institutionally path-dependent causes of or incentives of policy (variation). This is surprising in light of their initial reference to "domestic sources of support for the regime" aside from institutions (Wilson and Piazza 2013, 942), but they remain stuck with an institutionalist capacity-based determinism. The third major issue is that their modelling of regime types relies on a mix of GWF and CGV (946-947). This is again surprising because it means they themselves do not hold true to their goal of "unpacking the residual category" (942; II.4.3. above).

Those things said, Wilson and Piazza's contribution is still invaluable to my work. First, their pointing out said Paradigm (941-942) sparked my research interest and their accordant making of a first advance into the differentiation of autocratic regime types and their counter-terrorism strategies is a valuable start. Secondly, their identification of the need to "consider how institutions affect the range of responsiveness" (953) is a fruitful idea. It resonates with my observations on common explanations of democratic counter-terrorism policy choice in the literature, explored further at II.5.5. Third, it is their mentioning but not investigating "domestic sources of support for the regime" as a factor in "state capacity" (942) that, next to the focus on electoral responsiveness and legitimacy in explanations of democratic counter-terrorism (II.4.3.5 above), brings me to further investigate autocratic legitimacy. Thus, each of the points

of criticism I have articulated has provided another impetus for theoretical considerations in my own research project.

#### **II.4.4.3 A rationalist and constructivist view: Omelicheva (2007)**

Omelicheva's (2007) explanation of the differences in five authoritarian Central Asian states' responses to terrorism departs from the institutionalist capacity-based determinism I criticise in Wilson and Piazza (2013) since she at least partially assumes a constructivist position (Omelicheva 2007, 376). Meanwhile, the attempt to combine it with rationalism is ontologically and methodologically akin to squaring a circle.<sup>112</sup> Here, she identifies and combines three factors from the two theoretical spectra which she expects to be decisive for policy variation: first, threat perception and judgement of an adequate response as national social constructions; second, a resource-constrained interest in security that is almost neorealist in its a priori existence and logic of derivative action; third, the influence of international discourses and the norms and ideas they contain which states are socialised into (375-376).

The constructivist part of the argument is not easily operationalised and measured and hardly compatible with the causal logic of the rational choice approach. It is situated somewhere between what Reckwitz (2002, 244-245) distinguishes as "norm-oriented" and "cultural" varieties of Practice Theory. Then, it can only frazzle into a heuristic explanation that a state's counter-terrorism choice is a function of the assumed birth of ideas (potentially semiotic), consensus formation and the rules and procedures for matching the state's institutional structure with those processes. The upshot would be that, in line with Didier Bigo's (2005, quoted in Schmid 2013, 15) radical diagnosis that "terrorism does not exist", counter-terrorism does not exist either, and therefore a systematic cross-case comparative study thereof is impossible. Yet more problematically in her article, the attempt to combine such radical constructivism with the rationalist (almost neorealist) view on threats to security interests is ontologically oxymoronic. Her simultaneous denial of and interpretative reference to an objective reality (Omelicheva 2007, 375) does not convince. And, concerning variation in the breadth of counter-terrorism strategies, another caveat is the study's preoccupation with coercion (384). This is logically inconsistent with the breadth of terrorism as a phenomenon, particularly the instrumental role of communication and fear, and the accordantly broad options and necessities that arise for counter-terrorism at the preventive, interceptive or mitigating stages. Yet, I am looking to explore sources of variation rather than prove causal relationships. Thus, physical security and system-specific sociology of political power and position in the international system, which she points to, are still helpful points of reference. Both of her logical

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<sup>112</sup> Other useful investigations from the democracy-focused literature include: Crenshaw (2001) explores how in the US-counter-terrorism policy-making process, the multiple institutions involved not only have different performance requirements, interests of their own and competition between them which they take out in the policy-making arena but their internal sociologies also influence their deliberation process and shape interactions between them; Schneekener (2013) conducts a general analysis of how Western democracies have responded to Al Qaeda; Perliger (2012, 491) points to other constructivist approaches.

paths to explain government behaviour – the rationalist and the constructivist one (375) – open the black box of an institution-centric capacity-based determinism, marking a step ahead from the Paradigm’s narrow presumptions.

#### **II.4.4.4 *The neoclassical realist view: Foley (2009)***

Foley (2009) also encounters and discusses different theoretical approaches to explaining counter-terrorism policy but to arrive at an ontologically and methodologically more coherent framework. His starting point is a neoclassical realist explanation of states’ security policy as the rationally chosen path to balance a perceived threat, synthesising classical realist and neorealist thinking and introducing subjective perception to statesmen’s judgment of the security environment (440-441). He describes his own elaborations on counter-terrorism as situated between the more objective fraction of neoclassical realists like Stephen Walt and Thomas J. Christensen, and a Fareed Zakaria. He counts on both the objectively discernible characteristics of the security environment and policy-makers’ perception thereof, modelling policy-makers as making rational strategic choices in their subjectively perceived frame of reference (440-442). Additionally, he finds the democracies investigated to design their counter-terrorism strategies following not the rational choice “logic of consequences” but a “logic of appropriateness”: the appropriate reaction to a certain stimulus is found by analogy to how the state organisationally reacted to similar stimuli previously, rendering counter-terrorism a “routinized activity”.<sup>113</sup> He thus also acknowledges governmental agency in strategic choice, departing from the institutional capacity-based determinism I criticised in the Paradigm and Wilson and Piazza (2013), but in an ontologically and methodologically more convincing manner than Omelicheva (2007).

Foley’s argument also has its limitations. First, he restricts himself to coercive policies of liberal democracies by choice of the cases. Secondly, he measures his “threat perception variable” from interview material and public statements (Foley 2009, 440-441). This shows him to be relatively agnostic to the potentially strategic nature of a threat narrative pointed to, for instance, by Crotty (2004, 7-8), Campana (2013, 459-460; 2014, 249-250) or Perliger (2012, 527). The latter caveat is emblematic for a larger preoccupation with the kinetic rather than communicative nature of terrorism in the Terrorism Studies literature. Yet, both Foley’s theoretical considerations and the trouble he encounters with them resonate with Omelicheva’s (2007, 375) observation of the limited explanatory power of any single theoretical line of argumentation. That observation pays tribute to the analytical and operational difficulties symbolic violence (e.g. Crenshaw 1981, 379; II.2.3 above) poses in being both symbolic *and* violent, i.e. operating in the different realms of what constructivists and positivists capture. And, as both Omelicheva and Foley show, it is difficult to reconcile the two although I believe that

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<sup>113</sup> (Foley 2009, 443-444, conceptually quoting March and Simon 1958, 1993; see Schneckener 2013, 41).



Beetham's conceptualisation of statehood in its utilitarian *and* norm-based orientation bridges this gap well enough.

#### **II.4.4.5 Norms, purposes and Beetham<sup>114</sup>**

The discussion of three different ways explaining counter-terrorism strategic choice has yielded the insight that such an explanation not only requires specification of regime type and a discussion of how that is done in a manner appropriate to the research interest but also the specification of some baseline assumptions what a state is, how it functions and where differences lie to understand the policy outcome. I find a combination of what Reckwitz (2002, 245-246) distinguishes as “the purpose-oriented and the norm-oriented models of explaining action” particularly suitable, even if difficult. That is because of the hybrid phenomenal nature of terrorism: on the one hand, kinetic, thus behaviouristically graspable and, on the other hand, non-kinetic, thus non-behaviouristically graspable. “Purpose-oriented” theories assume a *homo oeconomicus* whose individual interests are aggregated and represented in a rational way at state level (ibid). “Norm-oriented” theories, by contrast, view the state as a type of social order constituted based on an agreement in terms of norms and values rather than interests or purposes (ibid). With the latter, Omelicheva's (2007, 357) argument regarding the constructivist construction or interpretation of terrorism as a threat in reference to social norms finds an entry-point. With the former (utilitarianism), terrorism is a threat if it threatens those interests towards whose aggregate fulfilment the state is founded. Beetham connects the two by integrating purposes with those norms and values from governance in accordance with which legitimacy originates (at least partly, see II.5.3.2). Part of that legitimacy rests on a political system's generic and incumbents' specific fulfilment of what he calls the “general” or “common interests” – norms and values that are shared across the system and from whose fulfilment a political system's legitimate right to existence is derived. In part, he exposes his conception of the state as utilitarian when stating that the two most important generally accepted purposes are the “provision of physical security and of the conditions necessary to material welfare” (Beetham 2013, 138). Yet in defining a system's purpose to also include other *general interests*, derived from the congruity of norms in a polity, Beetham (albeit with some issues, II.5.6) bridges the divide between what Reckwitz (2002) distinguishes as *purpose-* and *norm-oriented theory*.

For studying counter-terrorism, this means, first, the admission of agency to the government and components of both the rational strategic arguments in favour of counter-terrorism, since security is recognised as quintessential, and ones from the more constructivist spectrum since the overarching framework is that of a congruity of norms. Then, taking as a basis Beetham's (2013) Theory of the Legitimation of Power, the necessity to counter terrorism at all and

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<sup>114</sup> The first paragraph is partly based on Korte (2019a).

capacity to do so in a certain way can be analysed from the following point of view: They arise from the *general interest* and norms regarding governance, underpinning a specific political order, rather than as caused by an absence of restraint absent legitimacy-considerations, as assumed by the Paradigm. Secondly, Beetham's theory includes rules and institutions, allowing for the observation of a relationship between authoritarian institutions and counter-terrorism strategies. This in turn permits for the investigation of institutionalist arguments such as those pertaining to responsiveness and others derived from the literature on democratic counter-terrorism.

#### II.4.5 Summary

This section has unpacked the Paradigm and discussed several evidentiary, conceptual and logical objections to its assumption that because autocratic governments are not electorally responsive in the same way as democracies are, they deterministically rely on coercion to counter terrorism absent legitimacy considerations. Accordingly, it is this dissertation's theory-testing goal to infirm prevailing assumptions regarding homogeneity and coerciveness in authoritarian counter-terrorism by investigating and comparing two autocracies' counter-terrorism strategies. Beyond presenting objections, subsection II.4.3 extracted the need to solve the residual category definition problem identified inter alia by Wilson and Piazza (2013, 942). This is to be done in a way that systematically accounts for generically authoritarian and inter-authoritarian differential characteristics (II.4.3.4, e.g. Albrecht and Frankenberger 2010b, 38). There is also the need to investigate the impact of autocratic sources of legitimacy on policy, which Wilson and Piazza (2013, 942) nominally suggest but do not follow up on. Concerning the latter, at II.5 below, the focus is on what System Theorists would refer to as *functional alternatives* to democratic elections in generating legitimacy and influencing policy choice via enforcing responsiveness (Lambach and Göbel 2010, 87-88) because these are investigated as a major independent factor in democratic counter-terrorism policy variation (II.4.3.5).

This is where the dissertation's heuristic goal comes in: exploring potential origins of variation in authoritarian counter-terrorism in the legitimacy (re)sources of the respective systems. Subsection II.4.4 has shown that an account of authoritarian counter-terrorism requires specification not only of regime type but also of the nature of a state and its relationship with terrorism. Wilson's and Piazza's (2013) value to my research lies primarily in their pointing to the residual category definition problem in the existing literature on regime type and counter-terrorism (941-942) and indirectly pointing me towards legitimacy with their hunch to examine "existing institutions and domestic sources of support for the regime" (942). However, they do not solve the first problem and remain truthful to the existing institution-centric capacity-based deterministic arguments contained in the Paradigm on the second (II.4.2, 4.3.5). Omelicheva's (2007) and Foley's (2009) accounts introduce a notion of agency into governmental choice in

counter-terrorism strategy. Yet the discussion of the former illustrates how radical constructivism is as much an analytical dead-end as behaviourism. That is in part because terrorism as a phenomenon and logically therefore also states' responses to it entail both kinetic and intersubjectively constructed components since *symbolic violence* (e.g. Crenshaw 1981, 379) is both violent *and* symbolic. Thus, despite disagreeing with Omelicheva's oxymoronic model, in acknowledging the multi-level operation of terrorism as a phenomenon and the multicausality of counter-terrorism choices, I can only agree with her view (Omelicheva 2007, 375) that a multi-layered theoretical account has its merits compared to stand-alone institutionalist, rational choice, constructivist or neo-classical realist ones. Accordingly, Beetham's (2013, 161) understanding of political systems strikes me as an adequate balance. That is due to his conceptualisation of the "ends of government" as the utilitarian fulfilment of interests defined by intersubjectively constructed norms, first and foremost the provision of security and some degree of welfare (136-142). His theory mitigates the explanatory focus on procedures and institutions, underlying much of the existing literature on counter-terrorism, and the constructivist ideas necessarily advanced as well. It provides a holistic framework for the analysis of authoritarian counter-terrorism in relation to legitimacy. Here it is much broader than the Paradigm and the democracy-focused counter-terrorism literature in their preoccupation with the (non-)existence of responsiveness and legitimacy, conditional upon the existence, non-existence or type of electoral institutions.

## **II.5 Authoritarian legitimacy (re)sources, terrorism and counter-terrorism**

### **II.5.1 Overview**

As discussed in the previous section, there are manifold conceptual, logical and evidentiary objections to the Paradigm which have sparked my interest in empirically infirming its core components for this dissertation's theory-testing goal and exploring some of the origins of policy variation I expect to encounter for its heuristic goal. The literature on democratic counter-terrorism primarily investigates the choice of counter-terrorism strategies as a function of government legitimacy derived from electoral responsiveness where accountability dictates policy choice and institutional makeup conditions the shape and impact of that accountability. The necessity to counter terrorism arises from its threat to security and liberty whereby the provision of these is the founding principle of liberal democratic sovereignty (II.4.3.5 above, e.g. Chalk 1998, 374; Korte 2019b). There are three main points on which I base my arguments: (i) the role institutional heterogeneity is assigned in the literature on democratic counter-terrorism, (ii) the legitimating function of democratic responsiveness as enshrined in elections and (iii) recognition of the residual category definition as the first problem underlying the Paradigm's institutional capacity-based determinism. Based on these, this section presents my theoretical framework for showing inter-authoritarian variation in counter-terrorism strategies and exploring the sources of that variation with respect to autocracies' (re)sources

of legitimacy. I begin by presenting a reconceptualisation and typology of authoritarianism that systematically accounts for generically authoritarian and inter-authoritarian differential characteristics as proposed by Albrecht and Frankenberger (2010b, 38; II.4.3.4 above) and contained in Hadenius and Teorell (2007) and Wahman et al. (2013; II.5.2 below) and adding points to case selection (see I.2.3). In the second step (II.5.3), I reframe the notion of legitimacy and role it assumedly plays in democratic counter-terrorism via electoral responsiveness in a way that opens the wider concept for application to the authoritarian context. This is based on the assumption that any political system, including an authoritarian one, needs and generates some degree of legitimacy to survive (II.4.3.1 above, e.g. Pickel, G. 2010). There, I rely on Beetham's (2013) Theory of the Legitimation of Power and discuss its applicability to legitimacy and legitimation in the two types of electoral autocracies chosen, partly based on the institutional set up provided for in the WTH typology.

With Beetham's notion of legitimacy as an overarching framework, subsections II.5.5 through II.5.9 introduce five (re)sources of authoritarian legitimacy that are relevant to legitimacy as a status and legitimation as the process of its production:<sup>115</sup> responsiveness, performance legitimacy, ideology, discursive power and co-optation. Based on the above-distilled potential significance of legitimacy (re)sources for variation in counter-terrorism policy, Wahman et al.'s (2013) conceptualisation of O-PEAs and M-PEAs and applying Beetham's legitimacy concept as an overarching framework, I propose how differences therein may account for legitimacy-related variation in authoritarian counter-terrorism between the two types of systems. *Responsiveness* is, following Lambach and Göbel (2010, 79, 87-88, 90), understood as a government's ability to adapt to the interests of the population at large or an exclusive constituency. This is to retrieve the legitimacy that derives from utilitarianly exercising power in what Beetham (2013, 138) calls the *general interest* (II.5.5). By *performance legitimacy*, I refer to the legitimacy derived from what Beetham (2013, xiii) calls "the criterion of *due performance*" on the *general interest* (II.5.6). *Ideology* is taken to denote a coherent system of meaning, ideas and beliefs that justifies the functional distribution of power within a system as well as the activities and decisions of those who possess power within it (II.5.7, e.g. Lauth 2010, 103). I argue that where present, it runs through the other (re)sources of legitimacy like a golden thread. *Governmental discursive power* means a government's ability to influence the content of verbal and visual communication, here including the media and online space, which I argue is a moderating resource in the (re)legitimation of power (II.5.8, e.g. Jungherr et al. 2019, 3, 5-9, 17). *Co-optation* alludes to incentivising the commitment of potentially defective elites as an instrument to support the maintenance of a larger legitimate power relationship (II.5.9). These five concepts are selected in conformity with George's ((1979) 2019, 200, 205) criterion of *focus* to explore electoral autocratic ways of generating legitimacy as a

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<sup>115</sup> See II.5.3.1, e.g. von Haldenwang (2017, 3), for the difference between legitimacy and legitimation.

complement or in alternative to electoral responsiveness in the democratic context – the dissertation’s heuristic goal.

The propositions and questions for SFC I develop in this section jointly form two overarching arguments. The first is that these five (re)sources which contribute to the (re)legitimation of authoritarian power in the two systems’ standard modes of functioning create what Beetham (2013, chapt. 6) refers to as *crisis tendencies* which are system-specific. These are points of attack for terrorism so that autocratic counter-terrorism does not happen in a legitimacy vacuum but is very much directed at maintaining legitimacy. My second key argument is that these (re)sources are either themselves or come with conditions that capacitate or constrain a government to choose from a specific repertoire of counter-terrorism models. In the first instance, the choice of a specific counter-terrorism model shows that that choice was possible. This demonstrates that autocratic governments can indeed pursue a variety of non-coercive strategies, which goes towards infirming the paradigm (the theory-testing goal of my dissertation). However, my modelling of counter-terrorism choices begs to differ from the narrow and institutional capacity-based determinisms that underlie Wilson and Piazza’s (2013) or Fjelde’s (2010) conceptualisation of “state capacity” as a condition of policy choice (II.4.4.2). Somewhat less deterministically by contrast, for the dissertation’s heuristic goal, I inquire what characteristics on the five (re)sources of legitimacy concur with that choice. I also inquire whether one or several of these acts as a capacity or constraint with respect to counter-terrorism policy choice and implementation. In general, the goal is to heuristically identify potential causes of variation between policies by identifying varying conditions that concur with variation in counter-terrorism policies. That means if a (re)source functions or comes with a capacity or restraint in one case or is suspected to have causal power towards a certain policy choice, it is a potential condition. But unless a comparable pattern is observed in the other case, the chances of identifying a causal relationship abstractable beyond the individual case are very slim in the given design. Small-n designs typically suffer from spuriousness of findings, a guiding criterion for case selection was, with George ((1979) 2019, 205, 211), *variety* rather than *representativeness* of the universe of cases, and I cannot account for all other potential factors that influenced a choice, not even in the individual cases (I.2.1 above). Yet, the choice to explore a plurality of factors at a higher level of abstraction over a narrow focus on the disaggregation and validation of individual causal relationships is a conscious one. It is warranted by the dire state of research on the origins of authoritarian counter-terrorism policy. In any case, it is highly unlikely that any one factor could single-handedly determine policy implementation capacity and choice, the latter being understood as a multifactorial process in any given polity. Each discussion of a (re)source of legitimacy yields one or several questions to structure presentation of the case studies and the SFC in conformity with George and

Bennett's (2005, 69) criterion of *structure*. Where the literature provides reasonable grounds for expecting a certain variation, that expectation is stated as well.

## II.5.2 (Re-)Conceptualising authoritarianism and case selection

### II.5.2.1 *The authoritarian regime typology developed by Wahman et al. (2013)*

One goal is to tackle the residual category definition problem and do so in a manner that is attuned to systematically and differentially capturing what System Theorists would refer to as the *functional alternatives* to elections in (de)selecting leaders, thereby enforcing their responsiveness and thus legitimating their power positions.<sup>116</sup> To that end I use the regime typology and dataset developed by Wahman et al. (2013; 2017), the conceptual base layer of which is almost identical to Hadenius and Teorell (2007). That choice is based on their maintenance of a self-standing concept of authoritarianism and procedural distinction of authoritarian regimes according to their modes of maintaining political power, including but not limited to elections. These two factors mark significant improvements from the objectionable concepts and typologies popular in the extant terrorism literature (II.4.4.3-4 above), a point Fjelde (2010, 197-198) recognises for the civil war literature and accordingly applies the same typology.

At its base, the WTH authoritarian regime typology rests on “a distinction between three different modes of accessing and maintaining political power” (Wahman et al. 2013, 20; Hadenius and Teorell 2007, 146). In the implied focus on the institutional configuration (see Wahman et al. 2013, 21, 31), that distinction rule already embodies a first notion of responsiveness. It thus opens the door for considerations of responsiveness-related legitimacy and permits for application of the concept of *audience costs* (e.g. Conrad et al. 2014) and its impact on counter-terrorism policy (II.4.3.5 above). Moreover, the distinction rule according to which the *electoral* category is internally differentiated captures the relative openness of authoritarian electoral processes to contenders of different parties so that a clear-cut differentiation from democracy is not implied to be possible, necessary or beneficial (Hadenius and Teorell 2007, 146; Wahman et al. 2013, 20).

In detail, WTH's authoritarian regime typology consists of three or five main types, depending on how the *electoral* subtypes are counted: *military regimes*, *monarchies*, *no-party*, *one-party* (O-PEA) and *multiparty electoral autocracies* (M-PEA).<sup>117</sup> *Military regimes* are characterised, partly following Nordlinger (1977, 2, cited in Wahman et al. 2013, 25), by the overt or covert dominance of the military as an institution. That is, unlike Cheibub et al. (2010, 87), regardless

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<sup>116</sup> Other *functional alternatives* including (electoral) responsiveness in detail are presented at II.5.5-9.

<sup>117</sup> The authors also provide a supplementary disaggregated version including *theocracies*, *transitional regimes*, *civil war or occupation by foreign troops* and *other* (Hadenius and Teorell 2007, 148; Wahman et al. 2013, 20). Here, the aggregated main version is sufficient because the first goal of the SFC is to demonstrate that variation in counter-terrorism policy exists across authoritarian subtypes, not to account for all variation across all regime types, acknowledging that the project's theory-building potential is limited in its reach thereby.

of whether the head of state or government is military or civilian (Wahman et al. 2013, 25, 30). On exception from the institutional focus, the qualifying characteristic of *monarchies* lies in the person of the leader, his/her inheritance of the post following established principles including but not limited to primogeniture and his/her having more than merely representative functions (Hadenius and Teorell 2007, 146; Wahman et al. 2013, 25). The three types of *electoral regimes* all hold elections for executive office and/or legislative assemblies but differ in the degree of competition allowed which is operationalised according to the number and identities of parties contending for executive office or seats in the legislature (Hadenius and Teorell 2007, 147; Wahman et al. 2013, 26). In *no-party regimes*, elections for legislative assemblies and/or executive office take place without parties (ibid). In O-PEAs, electoral competition is restricted to one party which may, as is the case in China, subsume satellites (Hadenius and Teorell 2007, 147; Wahman et al. 2013, 26-27). Competition may take place inside that party or between individual independent candidates, but the party dominates the elected legislature and exclusively staffs the executive (ibid). If more than one independent party occupies seats in parliament and has acquired them through elections with a minimum level of competition, the system is classified as M-PEA (Wahman et al. 2013, 28). This category pertains only to the presence of competing parties in elections and legislatures/executives, not to the qualities of elections (Hadenius and Teorell 2007, 147). M-PEAs are thus related to democracies – this also emerges from their original designation as *limited multiparty regimes* (ibid) – whereby the quality of the electoral process and the presence or absence of substantive democratic characteristics are decisive (Wahman et al. 2013, 21).

### **II.5.2.2 Benefits of the Wahman et al. (2013) authoritarian regime typology**

Keeping with Köhler and Warkotsch' (2010, 70-71) reminder that the purpose of classification is to identify and group cases and traits in a manner that is first of all useful to the research project at hand, I consider the following three points particular assets of the WTH typology for my research interest. First, it rests on an originally continuous complementary rather than mutually exclusive understanding of the relationship between democracy and dictatorship (Wahman et al. 2013, 31),<sup>118</sup> thus remedying the residual category definition problem pointed out, for instance, by Wilson and Piazza (2013, 942; II.4.3.4 above). All the electoral authoritarian regime types, especially M-PEAs, share with democratic systems the defining characteristic of holding elections for legislative bodies and/or executive office, and WTH do not make the substantive qualities of the electoral process decisive for classification (Wahman et al. 2013, 20-23, 31). The crucial node in WTH's concept construction is the classification of democracies and autocracies using a mix of quantitative and qualitative measurement, relying

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<sup>118</sup> Confusingly, Hadenius and Teorell (2007, 145) claim this very approach to be dichotomous, although I suspect they refer to the resulting nominal typology since their quantitative construction is de facto continuous.

on a self-developed scale combining and converting selected measures from the FH and Polity IV indices into a 0-10 scale.<sup>119</sup>

The second benefit lies in the typology's focus on institutions rather than leadership circles or personae (Wahman et al. 2013, 20, 31). The benefit is that institutions were identified as potential sources of variation in democratic counter-terrorism – there electoral institutions – and in autocratic sensitivity to the imposition of *audience costs* (II.4.3.5 above, e.g. Conrad et al. 2014). WTH themselves suggest those institutions to be a potential source of policy variation (Wahman et al. 2013, 19, 21). A third strength is that WTH are conceptually agnostic to other sources of legitimacy such as ideology (Wahman et al. 2013, 20). This allows me to analyse these aspects as what System Theorists refer to as *functional alternatives* for electoral responsiveness as a factor in the generation of legitimacy. My argument regarding variation in authoritarian counter-terrorism policy can thus rely on the identification of institutional alternatives to democratic mechanisms of securing legitimacy via responsiveness based on WTH's institutional features and on consideration of other legitimacy (re)sources.

### **II.5.2.3 A post-script on case-selection**

The introductory section (I.2.3) explained my case selection but referred to this section for concept specification since the necessity of selecting two cases from the intersection of WTH's *electoral autocracies* and CGV's *civilian dictatorships* is better understood after the discussion here. To reiterate, the dissertation follows two goals. One is to test the Paradigm which is based on the mutually exclusive construction of the *democracy* and *autocracy* relationship (the residual category definition problem, first identified by Wilson and Piazza 2013, 941) and assumption of an institutional capacity-based determinism, which Wilson and Piazza do not grapple with adequately (the theory-testing goal). The other is to explore potential factors of variation in authoritarian counter-terrorism strategies with respect to these systems' (re)sources of legitimacy as suggested by research on democracies and also indirectly by Wilson and Piazza (2013, 942; the heuristic goal). The first goal is attained by charting each case's counter-terrorism strategy in terms of the counter-terrorism models identified at II.3. Regarding the coercive component of the Paradigm: if one of the cases is found to use methods other than coercion, the Paradigm is disconfirmed. That observation demonstrates that the following assumed mechanism is either not true or incomplete: that, absent perfect compliance with democracy theoretic procedural criteria, autocratic governments are not responsive to popular opinion, (thus) not legitimate and can freely apply force in counter-terrorism which translates into its application (the institutional capacity-based determinism;

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<sup>119</sup>(10 being a full democracy; Hadenius and Teorell 2007, 145-146; Wahman et al. 2013, 23-24). From evaluation of five different democracy indices – Boix et al. (2013), "Freedom in the World" (1972-2017), "Polity IV" (1800-2017), Cheibub et al. (2010) and Bernhard et al. (2001) – Wahman et al. (2013, 22-23) place the empirical cut-off point at a value of 7 (the original cut-off value was 7.5 in the Hadenius and Teorell (2007, 145-146) version). They include and classify all regimes up to a value of 7.5. to include all border cases which exhibit both authoritarian and democratic characteristics (Wahman et al. 2013, 23-24).



II.4). Regarding the component of uniformity, taken from Wilson and Piazza (2013, 941): if variation is encountered between the counter-terrorism strategies of the two cases, it demonstrates that the assumed cause – absence of electoral responsiveness and thus legitimacy – is not, in fact, the cause because (assumed) institutional homogeneity does not consistently concur with homogeneity in counter-terrorism strategies. This does not mean that electoral responsiveness and other sources of legitimation or responsiveness do not influence counter-terrorism repertoires or strategies. They may do and even cause the observed variation, but the observation says nothing about the genesis of y other than it was not (fully) caused by x. However, based on the foregoing discussion of problems associated with CGV's and GWF's authoritarianism concepts and datasets – the residual category definition problem – the concepts used to initially describe the cases were what Sartori (1994, 20) calls “pseudo-classes”. The heuristic part of the dissertation seeks to clear up with this misclassification by relying on the WTH typology. Per its focus on institutions it creates the ability to investigate electoral responsiveness and legitimacy in autocratic institutions without precluding the consideration of responsiveness and legitimacy either outside of electoral institutions or in autocratic systems that do not have such institutions (monarchies, military regimes).

Because CGV's *civilian* category has a large intersection with WTH's *electoral autocracies* (Wahman et al. 2013, 29-30), it is possible to accommodate both research goals with the same two cases if they are chosen from the intersection of the two: the theory-testing goal via Mill's MOD, based on CGV's classification, to show its inadequacy and to speak to the existing literature; and the heuristic goal, based on with WTH identifiable relevant differences. By “with WTH identifiable relevant differences”, I am complying with George's ((1979) 2019, 200, 205, 211) criteria of *focus* and relevance by *variety* rather than *representativeness* in case selection. That is specifically by choosing two different ones from WTH's electoral subtypes so that cross-case variation with respect to institutional setup is likely and a potential origin of variation to be investigated for the heuristic goal. With the additional criterion of encountering Islamist terrorism (II.2.2 above), the two cases selected for comparison are Russia between 1999 and 2018 and China between 1990 and 2018. Both are classified as *civilian dictatorships* by CGV. Wahman et al. (2013; 2017) classify Russia as an M-PEA and China an O-PEA for that period.

### II.5.3 Legitimation and legitimacy of political power with David Beetham

#### II.5.3.1 *Some considerations on legitimacy and counter-terrorism*<sup>120</sup>

Etymologically, the term *legitimacy* is derived from *legitimateness*: the state of being legitimate, a state of compliance with the rule of law (Dukalskis and Gerschewski 2017, 252). *Legitimation* describes the process(es) by which that state is (to be) brought about.<sup>121</sup> While etymologically,

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<sup>120</sup> This subsection is partly based on elements from Korte (2019a; 2019b).

<sup>121</sup>(e.g. Gerschewski 2013, 18; von Haldenwang 2017, 3; Sandby-Thomas 2015, 97; Schubert 2014, 596-597; von Soest and Grauvogel 2017, 2).

both terms are thus imbued with references to law, philosophical treatises on legitimacy are not necessarily so, for instance, if one considers Weber's conceptualisation of legitimacy of a system of power as based on the *Legitimitätsglaube* (belief in legitimacy) of those involved in it (Weber 1968, 213, quoted in Beetham 2013, 6). Much criticised by Beetham, this has informed the understandings of Lipset (1959, 86) and Merelman (1966, 548, both cited in Beetham 2013, 9) who reduce legitimacy to the quality of a belief that can be strategically manufactured and thus carries little reference to any law – naturalist or positivist - as a superior referent of legitimacy. In what follows, I rely on what Schmelzle (2011, 5, 7) and Schmelzle and Stollenwerk (2018, 456) distinguish as an “empirical” or “instrumental” from a “normative” or “intrinsic” “perspective on legitimacy”, omitting the usual discussion of the good, the fair and the less so.

To recap, in the extant literature on terrorism and counter-terrorism in democracies discussed in the previous section, legitimacy primarily appears in two related contexts. One regards the dual provision of security and liberty as the justifying condition of a contractual, utilitarian or normative conceptualisation of liberal democracy at the level of the state so that the necessity to counter terrorism arises from the conditions of legitimate statehood (e.g. Chalk 1998; see Korte 2019a). The other focusses on the processes of government or its foundation and how the two force the government to live up to these standards and to the public's more specific interests via compliance with certain rules, institutional constraints or elections, thereby legitimating those incumbents. Differences in these mechanisms and institutions are then discussed as sources of variation in democratic counter-terrorism (e.g. Li, Quan 2005). By contrast, the Paradigm denies autocracies both the state's legitimacy that is derived from the provision of security *and* that of the government which stems from electoral responsiveness (II.4.3.3-4). Thus far I have raised conceptual and logical objections to those presumptions, found recent comparativist scholars' work to at least partially embrace the notion of autocracies' legitimation and abstracted from the state of research on democratic counter-terrorism that responsiveness-created legitimacy does matter (even though the direction and mechanisms of its impact are far from clear). I will now transpose the latter argument and broaden it to legitimacy in general to suggest how (re)sources of legitimacy in what WTH classify as M-PEAs and O-PEAs may theoretically capacitate and influence their counter-terrorism strategies.

### **II.5.3.2 Overview of Beetham's legitimacy concept and utility here**

The basic framework of legitimacy and legitimation I use is that constructed by Beetham (2013) in the *Legitimation of Power*. The reasons why it is so suitable are best illustrated along his definition of legitimate power:

- Power can be said to be legitimate to the extent that:
- i) it conforms to established rules,

- ii) the rules can be justified by reference to beliefs shared by both dominant and subordinate, and
  - iii) there is evidence of consent by the subordinate to the particular power relation.
- The first level is that of rules; the second that of justifications grounded on beliefs; the third that of actions. (Beetham 2013, 15-16)

The first level criterion is in Beetham's (2013, e.g. 22) terminology also referred to as *legal validity* or *rule-conformity*, the second level as that of *rule justifiability* and the third level as that of *expressed consent*.<sup>122</sup> This definition is generic, heuristic even, and applicable to any kind type of political order because it does not presuppose the content of rules or beliefs nor that the consent takes place in a specific manner such as elections (see Holbig 2011b, 162; 2013, 63). Beetham (2013, 38) illuminates this with his admonition to capture beliefs as specific to the system in question – what he calls “legitimacy-in-context” – free from universal normative expectations and ready to observe context-specific positivist legal and accordingly legitimacy constructs (Holbig 2011b, 168). This makes the definition equally applicable to democracies and autocracies (Holbig 2011b, 162, 166-168; 2013, 63) and thus permits for the transposition of legitimacy-related counter-terrorism arguments to the autocratic context. Moreover, the first level refers not to abstract ideas but to very concrete rules in legitimacy's etymological sense in a manner that is positivist, thus operationalisable and observable. This is also true for the third level. As pointed out by Holbig (2011b, 167-168), these characteristics render it preferable to a Weberian-inspired notion of legitimacy that refers primarily to subject-internal beliefs, barely observable for a social scientist (see Wurster and Kailitz 2017, 355). At the same time, in his dual reference to shared norms and beliefs (second level) and the concretely observable rules and consent (first and third level) as foundational for a legitimate political order (Holbig 2011b, 168), Beetham's (2013, e.g. 245) mix of norms and utilitarianism occupies a middle ground between constructivism and positivism. This strikes me as a feasible solution in the context of my own research for two reasons. One is the dualistic nature of terrorism, recognised to be both instrumentally violent and symbolic and the accordant need to conceptualise counter-terrorism in both ways (II.2.3, 3.6.1, 4.4.4). The other is the equally epistemically diverse nature of some of the other legitimacy-relevant concepts regarding electoral autocratic institutions, performance legitimacy, discursive power, the role of ideology and the literature on co-optation, which I will draw on below (II.5.5-9). A final benefit of Beetham's legitimacy theory is that it has been well-received in the literature on legitimacy in the authoritarian context (Gilley 2006; Holbig 2006; 2011b; 2013; Schmelzle and Stollenwerk 2018), also by researchers interested in authoritarian systems' stability more than in their legitimacy.<sup>123</sup>As indicated by

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<sup>122</sup> Note the following terms taken from Beetham (2013), where the source pages are indicated only with the first instance of use: *authorisation of power*, *consent (expressed/modes of/performed/performative)*, *due performance*, *electoral endorsement*, *general interests*, *legal validity*, *legitimacy crisis/deficit*, *legitimacy-in-context*, *normative validity*, *performance failure*, *rightful authorisation*, *rightful exercise of power*, *rightful political authority*, *rightfulness of authorisation*, *rule conformity*, *rule justifiability*, *self-closure*, *State Socialism/state-socialist*.

<sup>123</sup> (Dukalskis and Gerschewski 2017; Gerschewski 2017; Grauvogel and von Soest 2017; Kailitz and Wurster 2017; Lueders and Croissant 2014).

Beetham's (2013, 15-16) definition of legitimate power above, he argues that legitimacy derives from a congruity between the norms and principles regarding *rightful authorisation* and *exercise of power* and the factual authorisation and exercise thereof, including catering to what he calls the *general interests* of the system, and from *performative consent* given by the subordinates (see 22, generally chapt. 3-4). This argument provides that the interest in countering terrorism as a threat to the *general interest*, thus to legitimacy, should be common to all political systems. While the three criteria of legitimate power are generic to all regime types, Beetham (2013, xv) differentiates between those types according to different (configurations of) characteristics on these. Based on these different configurations, China as an O-PEA and Russia as an M-PEA (following WTH) should first differ in their vulnerability to terrorism. Secondly, I will argue that based on their indigenous combination of norms and *modes of consent*, some models of counter-terrorism should be closer to their legitimate standard mode of operation than others. This should provide for differing capacities to implement and preferences for certain counter-terrorism policies and measures over others.<sup>124</sup> The two largest fault-lines between the cases are identified as their one- versus multiparty nature and *electoral* versus *mobilisation mode of consent* (Beetham 2013, 90-97), including consideration of China as a real type of his *state-socialist* ideal type (179-190). The remainder of this subsection outlines Beetham's criteria of legitimate power (II.5.3.3) and the corresponding theoretical differences between the two cases as two distinct types of legitimate power systems. The aim is to explore how these differences may be sources of variation with respect to vulnerability to terrorism and counter-terrorism policy (II.5.3.4-5).

### **II.5.3.3 Beetham's three "dimensions of legitimacy"**

As stated, for Beetham (2013), legitimate political power derives if and only if all three components of "legal validity, rule justifiability and expressed consent" (120) come together. *Legal validity* or *rule conformity* mean that incumbents are appointed and exercise their power in conformity with the established rules in a polity (12, 16, 64-69). This partly resembles the content of the distinction rule applied by WTH (Hadenius and Teorell 2007, 146; Wahman et al. 2013, 20). The criterion of *rule justifiability* or *normative validity* requires that those rules are justifiable "in terms of the beliefs and values current in the given society" (Beetham 2013, 12, see 17-18, 69-90). It is precisely this normative openness that renders Beetham's theory so relevant to my study of legitimacy in the two autocratic cases. These individually held norms and beliefs pertain to the *rightfulness of authorisation* and *rightful exercise of power* towards the *general interest* (xii). Where either the rules do not adequately reflect those norms and beliefs or where government fails to perform on the *general interest*, a so-called *legitimacy*

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<sup>124</sup> In the discussion part of Korte (2018a, at 1:03-1:06), I provide a brief sketch of the performance-legitimacy-based argument that variation in counter-terrorism policy can be explained in reference to variation in threats to different "existential interests" in the sense of *general interests*.

*deficit* results.<sup>125</sup> Depending on the type of system, specifically the separability of a single or multiple parties from the state, and reliance on what Beetham distinguishes as the *electoral* from the *mobilisation mode of consent*, such *legitimacy deficit* affects either the state at large or only the government; only in the latter case an alternation in power can terminate *legitimacy crisis* (Beetham 2013, 168-169; II.5.3.4 below).

*Expressed or performative consent* as Beetham's third criterion of legitimation consists of individuals' or groups' so-called "performative acts". These publicly indicate through some sort of observable voluntary activity, such as participation in elections or other verbal or physical expressions of support, that they endorse the incumbent(s) and the prevailing system of power relations (Beetham 2013, xiv, 90-97). The legitimating power derives not only from the expression of consent but also from the indication of being willing to sustain subordination and act to support that relationship in the future (150). Notably, that *expressed consent* is distinct from an individual's internal agreement or satisfaction with the criterion of *normative validity* in respect of his own personally held beliefs. Beetham (2013, 267) distinguishes the two and requires both for a power relationship to be legitimate, but also cautions that the existence of such agreement or satisfaction is not necessarily inferable from expression or performance of consent (see Holbig 2011b, 167-168; Wurster and Kailitz 2017, 355). This emanates particularly from the two different modes of political participation – the *electoral* and the *mobilisation modes of expressed consent* – which also serve as an important differentiator between my two cases. These are particularly visible at the institutional level. Here, a system's norms and organising principles pertaining to all three criteria manifest themselves in an organic, relatively stable and thus reliable manner to form an observable system of legitimation (Beetham 2013, 37, 127, 159). In Beetham's *electoral mode*, elections for office are legally valid and normatively justified mechanisms of leadership authorisation. They institutionally embody all three criteria in that participation also legitimates the system of power itself through expressing consent to the *normative justifiability* of the authorisation procedure (xv, 151, 163-164; see Kailitz 2013, 46). In *mobilisation mode*, the process of leadership authorisation is separate from the *expression of popular consent*, but political power can still be legally and normatively valid as well as popularly legitimated (Beetham 2013, xv, 151, 155-157). In the case of State Socialism, which is the ideal type of which I consider present-day China to constitute a real type (Holbig 2013, 63-65; cf. Beetham 2013, 265), *legal* and *normative validity* derive from two sources of authority: *popular sovereignty* embedded in the party's acting as the people's revolutionary vanguard, backed up by Marxism-Leninism's "secular-doctrinal" logic, that accords the party leadership function because of its scientific knowledge.<sup>126</sup> The expression of consent in *mobilisation mode* takes place through constant and repeated "mass

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<sup>125</sup> (Beetham 2013, 11-12, 17-18, 82-90, 135-150, 168-169, 205-211; see Holbig 2006, 10, 14; 2011b, 168-169; 2013, 64; Holbig and Gilley 2010, 412; Zhao, D. and Yang 2013, 9).

<sup>126</sup> (Beetham 2013, 89, 132, 155-156, 181-182; Holbig 2013, 64, 72; see II.5.7 below on ideology).

participation in political activity supportive of the regime and contributory to the realisation of its political goals” (Beetham 2013, 155). Such participation is not spontaneous but initiated by the single party. This is opposed to electoral consent that is more voluntary and genuine and, as the excerpt indicates, also has a different practically promising quality of self-obligation to future compliance, which is why Beetham treats it as “surrogate consent” of a critical mass (182, 95, 155-156). The core difference between the two modes then pertains to the role of the party or several parties between them and the relative (in)congruity between system and party/ies. This also has significant ramifications for crisis tendencies between the two modes (chapt. 6). Since in the O-PEA access to power is limited through the party and the system is congruous with the party, if either falters, *legitimacy deficit* can effect both the entire system and the party/government (141, 167-169, 181-190). In an M-PEA in *electoral mode*, by contrast, reliance on multiple parties and the option of resolving crisis through an alteration in government limit the potential for *legitimacy deficit* to the government (136, 141, 145-149, 151, 168-170). The same properties also affect the systems’ relative ability to resist or embrace dissidence (157, 183). Subsections II.5.3.4-5 outline these differences in more detail and begin to explore their relevance to electoral autocracies’ vulnerability to terrorism and disposition for counter-terrorism models.<sup>127</sup>

#### **II.5.3.4 “General interests” and systemic differences towards performance legitimacy, vulnerability to performance failure and coercive tendency**

As stated at II.4.4.5, Beetham (2013, e.g. xiii, 82-90, 137-138) follows a utilitarian (though norm-based) line of argumentation concerning the *general interests* of security and welfare towards whose provision the existence of a political system, the distribution of power within it and the personae of the incumbents are justified and legitimated. He calls the requirement to fulfil those *general interests* on the part of the incumbent *due performance* and constructs the relationship with legitimacy as reciprocal because a system of power can only be effective if its subordinates act in compliance with the power relationship (33; see Holbig 2011b, 169).

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<sup>127</sup> Two thoughts regarding the classification of the cases and applicability of the concepts:

One, pertaining to China’s fit with the State-Socialist ideal type: unlike Beetham (2013, 179, 265), who describes it as a “unique model” that no longer conforms to the ideal type, I build on the insights of Brown and Berzina-Cerenkova (2018), Holbig (2011, 2013), Holbig and Gilley (2010) and Lam (2016) regarding the overarching role of CCP ideology which retains strong Marxist-Leninist elements as a source of authority and mobilisation. I argue that neither the experiments with various forms of intra-party democracy or grassroots elections nor the CCP’s discursive embrace and popular perception of China as a “guardian democracy” (Holbig and Schucher 2016, 7) comport to a full transition to *electoral mode of consent* but that *mobilisation* is still the dominant *mode*.

Two, pertaining to Russia’s categorisation as an M-PEA in *electoral mode*: the Russian system has undergone significant changes with the “verticalisation of power” under Putin, leading some to describe it as a “neo-patrimonial regime” (Robinson 2018, 249-259), “competitive oligarchy” (*kompetitive Oligarchie*) or “network state” (*Netzwerkstaat*) (Mommsen 2017, 58-61; 2018b). United Russia, the party Putin is affiliated with, has dominated Russian elections since its formation in 2003. However, I argue in line with WTH’s classification of Russia as an M-PEA, that these are developments within the subcategory rather than a systemic transformation. Restricted as their ability to participate and win an election may have become, multiple parties de facto participate in elections. Elections thus still fulfil both of Beetham’s criteria of *leadership authorisation* and *expressed consent* (Wahman et al. 2013, 26). While there may be additional mechanisms of elite-internal leadership endorsement at work, I still consider *electoral endorsement* to be the dominant mode and thus the basis for comparative hypotheses. See note 156.

Reciprocity lies in the fact that order, stability and effectiveness as characteristics of a legitimate power relationship are simultaneously results and conditions of such a relationship (Beetham 2013, 33-34, 137). Schmelzle and Stollenwerk (2018) call this the “virtuous circle” between legitimacy and effectiveness. This upstream role of *due performance* on *general interests* via effectiveness, order and stability towards legitimacy opens the door for the notion of *performance legitimacy* and its positive contribution towards governmental and systemic legitimacy (see II.5.5).

Secondly, in terms of autocracies’ vulnerability to terrorism, the potential negative impact of failure to effectively provide for physical security as a *sine qua non* public and individual *general interest* contains the risk of a *legitimacy crisis* or *legitimacy deficit*.<sup>128</sup> While the resulting general vulnerability to terrorism is shared by all systems, they vary in their ability to absorb performance failures because of governments’ differing abilities to distance themselves (Beetham 2013, 141, 145-146, 161-190). In an M-PEA system, performance failures affect the legitimacy of government but not necessarily that of the system; that is as long as the system maintains the ability for an *authorisation* and *exercise of power* in line with the criteria of *legal validity* and *rule justifiability* and subordinates can express their consent to an alternation in power (136, 141, 145-149, 151, 168-170). In an O-PEA system, the *legitimacy deficit* regards the system of power itself because it is co-extensive with the party and the party can neither distance itself from it nor be replaced in government (141, 145-146, 181-190). Thus, China as an O-PEA should be more vulnerable to terrorism than Russia, and reliance on *electoral* or *mobilisation mode of consent* should play a role, too.

Third, because the provision of security is one of the political system’s primary purposes, *due performance* on that end is absolutely essential towards maintaining legitimacy (137-138). Beetham (138-139, 182-186) accordingly argues that the use of coercion towards the provision of public security as a *general interest* is indeed a component of legitimate power relationships but that its legitimacy is a matter of degree (see Holbig 2006, 14; 2011b, 169; 2013, 65, 74-75). On the one hand, this generally places the use of coercive counter-terrorism measures within the context of a legitimate power relationship, not outside of it. On the other hand, the threshold towards their application as well as a general systemic tendency to rely on such means should differ as a derivative of both differing vulnerability to terrorism and institutional (and ideological) predispositions towards dissidence as a pre-stage thereof.

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<sup>128</sup> (Beetham 2013, 11-12, 17-18, 82-90, 135-150, 168-169, 205-211; see Holbig 2006, 10, 14; 2011b, 168-169; 2013, 64; Holbig and Gilley 2010, 412; Zhao, D. and Yang 2013, 9). In the discussion in Korte (2018a, at 1:03-1:06), I briefly sketch the performance-legitimacy-based argument that variation in counter-terrorism policy can be explained in reference to variation in threats to different “existential interests” in the sense of *general interests*.

### II.5.3.5 Systemic differences II: predisposition towards dissidence and co-optation

It has already been stated that a state's institutions embody the rules for linking normative foundations with the *authorisation of power*, its *exercise* in compliance therewith and for *expressing consent* (Beetham 2013, 37, 127, 159). In what Beetham identifies as *state-socialist systems*, the organisational principles of institutions reflect the two *sources of rightful authority* in that the party embodies the principle of popular sovereignty and its vanguard function derives from superior scientific knowledge following Marxism-Leninism.<sup>129</sup> According to Beetham (2013, 157, 182-183), the organisational principles of institutions in such systems not only reflect doctrine as a *source of authority*. They also take care of its reproduction and, because of the heavy reliance on the integrity of the doctrinal system, the party has to have what he calls a "monopoly of organisation in the sphere of political activity" and a "monopoly of truth in the realm of doctrine" (ibid). The upshot is that the genesis and dissemination of ideas and opinions that challenge this mutually reinforcing system of ideology and institutions must be prevented. Moreover, the capacity for what Beetham calls the "demobilisation of dissent" (155), potentially through coercive suppression is qua necessity for survival built into such systems.<sup>130</sup> An M-PEA system in *electoral mode*, by contrast, can not only tolerate but by its very nature requires contestation and competition between different people and ideas in order to function (Beetham 2013, 157). Accordingly, some dissidence should not only be tolerated but welcomed. This difference is further considered for vulnerability to terrorism and responsiveness as a resource for conciliatory and structural counter-terrorism models of counter-terrorism (II.5.5).

The individually held norms, principles and beliefs regarding the *acquisition* and *exercise of power* and the government's or system's performance, whose congruity with governance is essential for legitimacy, are not static but subject to changes. While Beetham (2013, 104) rejects a reduction of legitimacy to a Weberian *Legitimitätsglaube*, he admits, first, what he calls a "degree of [...] self-closure", and secondly, admits that this is subject to variation between different systems. Part of that *self-closure* is that he considers those in power to be in a superior position for "influencing the beliefs of the subordinate, through their preferential access to the means of cultural development and the dissemination of ideas within society" (ibid). Yet despite the attention to beliefs and ideas implied here, he fully dismisses the notion that the top-down production of *Legitimitätsglaube* in subordinates is either possible or sufficient for a legitimate power relationship because individuals receive and actively evaluate the information they are fed as to its credibility in the context of its dissemination (8-10, 105-108). A condition to that construction of legitimacy is his modelling of individuals. He sees them as not perfectly rational and their entering into a power relationship as not fully comprehended

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<sup>129</sup> (Beetham 2013, 89, 132, 155-156, 181-182; Holbig 2006, 11-13; 2013, 64).

<sup>130</sup> (Beetham 2013, 157, 182-186; see Holbig 2011b, 169-170; 2013, 65, 74-75).



by calculations of self-interest, as suggested by rational choice theories of power, nor does he deny their characteristic as moral agents (27). Beetham (2013, 33-34, 106-108) then argues as a counterpart to the disseminated ideas, that subordinates also participate in the maintenance of legitimacy via their involvement in the reciprocal relationship between order, stability, effectiveness and legitimacy. Therefore, Beetham's *self-closure* does mean the self-referentialism of the system. But unlike those studies of authoritarian legitimation procured, for instance, under the so-called "AGIL-Schema" (e.g. Pickel, S. and Stark 2010) or the "WZB-Model"<sup>131</sup>, both with a high premium on the top-down dissemination of ideas, Beetham's *self-closure* involves a level of individual and collective active engagement to shape experience, ideas and their chances and perception of realisation. Two out of these elements of potential cross-system variation are further explored below: the superordinates' means of distribution of ideas and the system's efficacy with respect to its *general interest*. As for the first, the concept of *discursive power* is useful in qualifying the ability to influence subordinates' ideas as part of structural or communicative counter-terrorism (II.5.8 below). It can also be instrumental in framing actual government performance in a favourable light regarding the *general interest* towards *performance legitimacy* (e.g. Holbig 2011b, 169; 2013, 62; II.5.7.2, II.5.8.3 below).

Partially connected to the second, an aspect that is missing from Beetham's (2013) account is a comprehensive discussion of cooperation based on incentives more than on convictions, norms and beliefs. Although he discusses such incentives in the context of predominantly coercive regimes or as temporary stabilisation measures, he locates them outside of a legitimate power relationship that serves the interests of both the subordinate and the powerful because he considers these incentives to be unilaterally instrumental to those in power but not to have a real interest quality and thus intrinsic value to those on the receiving end (Beetham 2013, 27-28, 38, 44-45, 87). However, based on the nature of *mobilisation mode* and on review of the literature on authoritarian co-optation, I argue that not every relationship between powerful and subordinate in a political system is based on accord regarding the means and ends of the system alone. I also argue that, unlike the situation of coercion, this relationship is not one of power, but of instrumentality. Importantly, it is Beetham's very concept of human beings "as moral agents as well as self-interest actors" (27) as well as – for analogy – his conceptualisation of coercion as an accessory to legitimate power (157, 182-186; see Holbig 2011b, 169; 2013, 65, 74-75) that pave the way for co-optation as such an analogous type of accessory (II.5.9: co-optation). I find the existence of such relationships indispensable to the functioning of a legitimate system. They aid attainment of the *general interests* and thus, through what Schmelzle and Stollenwerk (2018) call the *virtuous circle*, maintenance of a legitimate power relationship with the majority. Then, like the use of coercion has a place in

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<sup>131</sup> The WZB Model does introduce *legitimation* as one of the autocratic "pillars of stability" along with *repression* and *co-optation* (e.g. Gerschewski 2013, 23; II.5.9.1 below).

the legitimization of political power as an accessory, so should incentivised compliance. That is even though for Beetham (2013, 38) this is not a relation of power and although the quality of subordinates' compliance based on normative commitments is distinct from that of incentivised commitment (see Schmelzle and Stollenwerk 2018, 456-458).

## II.5.4 From Beetham to the other (re)sources of authoritarian legitimacy

### II.5.4.1 Takeaway from Beetham's Theory of the Legitimation of Power (2013)

The previous subsection outlined Beetham's accounts of legitimate power as derived from three sources ("legal validity, rule justifiability and expressed consent" (Beetham 2013, 120)) and of different political power systems as characterised by different *sources* (or configurations) of *rightful authority* and different *modes of expressed consent*. To summarise, this contains five important points on the relationship between different electoral autocracies' legitimation, their vulnerability to terrorism and ability to implement and preference for certain counter-terrorism models over others. The first point regards the fact that failure to perform on the *general interest* of physical security incurs *legitimacy deficits* for any government, democratic or authoritarian, O-PEA or M-PEA by WTH's standards (II.5.3.4, e.g. Beetham 2013, 205-208). However, following Beetham (2013, 141, 168-169), the congruity between party and state in an O-PEA renders the government more vulnerable than an M-PEA because the O-PEA government cannot distance itself from the performance failure.<sup>132</sup> Whereas in the M-PEA system the *legitimacy deficit* may only affect the government and the system can be saved by an alternation therein, in the O-PEA system the *legitimacy deficit* affects the system itself via interfering at a different point in the reciprocal relationship between *due performance* and legitimacy (141, 145-146, 168-169). The second point pertains to the system's reliance on the uncontested nature of one-party rule versus contestation inherent in the multiparty system (II.5.3.5), in resemblance of Beetham's (2013, 157, 182-186; see Holbig 2011b, 169-170; 2013, 65, 74-75) arguments as to the capacity to prevent dissidence in Communist systems. I propose a differing tolerance for dissidence as a point affecting both vulnerability to terrorism and options of preventing or responding to terrorism in terms of conciliatory, structural and communicative models of counter-terrorism. A third point is the relevance of ideology which, as a *source of authority* and thus legitimacy, should go to minimise tolerance for alternative thinking (II.5.3.5 above, e.g. Beetham 2013, 183; see II.5.7). Fourth, acknowledging variation between different systems as to what Beetham calls the *degree of self-closure* in terms of ideas (also II.5.3.5), I further explore potential differences in discursive power and their implications for communicative and structural models of counter-terrorism at II.5.8. Fifth and in excess of, but compatible with Beetham's theory, I argue that a government may rely on co-optation to sustain order, stability and effectiveness of the system towards maintaining the

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<sup>132</sup> In the discussion part of Korte (2018a, at 1:03-1:06), I provide a content-based sketch of the performance-legitimacy-based argument that variation in counter-terrorism policy can be explained in reference to variation in threats to different "existential interests" in the sense of *general interests*.

legitimacy of the overall system (II.5.3.5). It can be instrumental to producing an incentivised commitment that is distinct from the normatively justified one of a legitimate power relationship but still complementary thereto just like Beetham (2013, 138-139; II.5.3.5) envisages for coercion (see II.5.9).

#### **II.5.4.2 (Re)sources of legitimacy, vulnerability and strategic variation**

Based on the above-distilled potential significance of legitimacy (re)sources for variation in counter-terrorism policy, Wahman et al.'s (2013) conceptualisation of O-PEAs and M-PEAs and applying Beetham's legitimacy concept as an overarching framework, subsections II.5.5-9 discuss responsiveness, performance legitimacy, ideology, discursive power and co-optation as (re)sources that contribute to the legitimation of governmental power in electoral autocratic systems and how differences therein may account for legitimacy-related variation in authoritarian counter-terrorism. The focus is on how O-PEAs and M-PEAs generically and, where necessary, also the two countries specifically differ in combining these (re)sources to legitimate their power. I propose that these five (re)sources, like variation in democratic responsiveness is argued to do (II.4.3.5), come with different systemic conditions. Those capacitate or constrain the repertoire of counter-terrorism models which a government can choose from. In contrast to the capacity-based determinism in the Paradigm (II.4.3) and Wilson and Piazza (2013; II.4.4.2), the option of implementing a certain type of model is not equated to its actual implementation. Empirically, only the actual choice can be investigated, not the option and not those options that are not chosen. For the heuristic goal of exploring the sources of variation in authoritarian counter-terrorism, I will thus examine how actual counter-terrorism models implemented relate back to these options as conditions. As stated, the focus is on exploring several legitimacy (re)sources as potential conditions giving rise to policy variation. This is, first, based on the identification of a concurrence between them and counter-terrorism models, and second, probing of whether they might act as or come with certain capacities or constraints towards the adoption and implementation of that counter-terrorism model. The goal is not a complete close-up identification of causal mechanisms (apart from the theory-testing goal as discussed). The design can account neither for all potential factors  $x_n$  on  $X$  that could lead to observed outcome(s)  $y_n$  on  $Y$  nor for all the potential pathways connecting all potential  $x_n$  to all potential  $y_n$ . Meanwhile, where the literature does hold sufficient grounds for expecting a certain type of variation between the two cases in terms of legitimacy (re)sources and counter-terrorism policy, that expectation is stated. However, SFC is carried out following questions, so each subsection concludes with questions that are *relevant* to the exploration of legitimacy-related variation and *focussed* on the most important points raised in the literature. This conforms to George's ((1979) 2009) and George and Bennet's (2005) criterion of *focus*. Care is taken to formulate questions so openly as to not induce confirmation bias or create the

impression of causal claims where only conditions are identified but not the precise nature of their influence on counter-terrorism policy.

## II.5.5 Responsiveness

### II.5.5.1 *The legitimating power of responsive autocratic institutions*

Following Lambach and Göbel (2010, 79, 87-88, 90), I use the term *responsiveness* to denote a system's readiness to react to destabilising stimuli without resorting to the use of force, here the government's to citizens' demands and preferences (see Albrecht and Frankenberger 2010a, 13-14; 2010b, 51). At II.4.3.5, I established the necessity to refrain from rejecting the presence of responsiveness in autocracies based on imperfect compliance with criteria tied to the embodiment of one specific type of accountability in democracies where it is found in the electoral process (e.g. Lambach and Göbel 2010, 87-88; Weeks 2008, 37). In contrast to that problematic assumption, Lambach and Göbel (2010, 79, 87-90) suggest that in the short term, autocratic responsiveness may entail concessions while in the long run, it can take the shape of creating or using formal institutions: electoral institutions, parties, public interest groups, consultative committees or trade unions. Assuming what Hall and Taylor (1996) would classify as the Rational Choice version of Institutionalism, some of the benefits thereof discussed in the literature include for these institutions to function as a roof under which demands and grievances can be articulated, aggregated and channelled, solutions negotiated, interactions regularised, commitments institutionalised, expectations stabilised and dissidents and opposition thus hedged in.<sup>133</sup>

From that broader academic discourse on the stabilising and legitimating role of autocratic institutions, three aspects are particularly relevant to my research on legitimacy-related variation in autocratic counter-terrorism. The first two pertain to how those institutions have been found to allow the government to collect information based on which it can respond, thus forming the baseline for responsiveness as a source of legitimacy.<sup>134</sup> The third pertains to how bargains with dissident or oppositional groups housed in such institutions accommodate diverging interests and thus contribute to systemic stabilisation. Ultimately, an overwhelming majority of subjects to power find the arrangement generally justifiable, i.e. conforming to Beetham's criterion of *rule justifiability*, and it therefore remains legitimate. While the latter is dealt with in the subsection on co-optation at II.5.9, this subsection analyses which responsiveness-related differences between the two systems may be significant to the extent

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<sup>133</sup> (e.g. Aksoy et al. 2012, 812-813; Albrecht and Frankenberger 2010b, 55-57; Albrecht et al. 2011, 10; Bank 2010, 26-29; Boix and Svobik 2013, 300-301, 313-314; Croissant and Wurster 2013, 5; Fjelde 2010, 202-204; Gandhi 2010, e.g. 77-82, 166-167, 180-184; Gandhi and Przeworski 2007, 1281-1283; Lambach and Göbel 2010, 80; Magaloni 2008, 718, 738-739; Reuter and Robertson 2015, 236-239, 246-247; Schedler 2002; Wilson and Piazza 2013, 943-944).

<sup>134</sup> (Aksoy et al. 2012, 812-813; Boix and Svobik 2013, 313-314; Gandhi and Przeworski 2007, 1282; Lambach and Göbel 2010, 87-90).

of creating different vulnerabilities to terrorism and predispositions in terms of counter-terrorism models.

### **II.5.5.2 Different party-systems: general and “exclusive responsiveness”**

Institutional access to power is an autocratic subtype-defining characteristic in all three of the major polychotomous regime typologies discussed above including that of Wahman et al. (2013, 21), although the notion of responsiveness is more pronounced in the other two. CGV’s and GWF’s distinctions within the authoritarian category run according to a simple pattern of institutionalised links of responsiveness, created by threat of removal between rulers and ruled via two types of institutions (Cheibub et al. 2010, 73, 84; Gandhi 2010, 19-20; Geddes et al. 2014, 314-315): what CGV call “first institutional trenches” or “inner sanctums” are “narrow institutions such as consultative councils, juntas and political bureaus” on whom autocrats rely to mitigate threats emerging from the ruling coalition itself (Gandhi and Przeworski 2007, 1280, 1288; Gandhi 2010, 20, 42, 74-75, 166); “second institutional trenches” such as parties or electoral institutions are the larger institutions which moderate the relationship between autocrats and the subjects to power, mobilise support and transmit information upwards.<sup>135</sup> Within these two-fold institutional settings, I locate two types of responsiveness: one generally to the population and one to a specific group, what Albrecht and Frankenberger (2010b, 55-56) call “exclusive responsiveness”.

Regarding the population at large or what might be called *general responsiveness*, Friedrich and Brzezinski (1961, 29, quoted in Gandhi and Przeworski 2007, 1282) already pointed out that “it is the role of the party to provide a following for the dictator”. By that they referred primarily to its mobilisation function towards what constitutes Beetham’s criterion of *performative consent*. Yet, that is in itself based on the fact that an omnipresent party has a greater potential for generating information than a party with restricted coverage in an M-PEA.<sup>136</sup> The single party bundles what system theorists would call *functional alternatives* to the information-gathering functions of elections appreciated, for instance, by Gandhi (2010, 78-79), Gandhi and Lust-Okar (2009, 405) or Malesky and Schuler (2011, 492, 494-496, 524-525, citing Sartori 1976, 232). That information is often acknowledged to be the basis for targeted coercion (e.g. Fjelde 2010, 199-201; Gandhi and Lust-Okar 2009, 405; Wintrobe 2009, 367).<sup>137</sup> Yet, it is also a precondition for non-violently and preventively responding to shifts in the demand structure and performance evaluations by adapting the exercise of power to reconstitute legitimacy via responsiveness or by incentivising compliance through co-optation

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<sup>135</sup> (Cheibub et al. 2010, 86-87; Gandhi 2010, 29-31, 166; Gandhi and Przeworski 2007, 1280, 1293).

<sup>136</sup> (Fjelde 2010, 199-201; Gandhi 2010, 31; Gandhi and Przeworski 2007, 1282-1283; Gerschewski 2013, 16).

<sup>137</sup> Soifer (2008, 242-247) explores occurrences of this argument in scholarship on states’ COIN or insurgency prevention capacities, including studies by James Fearon and David Laitin (2003), Jeff Goodwin (1999) and Stathis Kalyvas (2006), which are not discussed here because they suppose a different concept of power.

to avoid jeopardising the former (see II.5.9).<sup>138</sup> The conduciveness of such responsiveness to legitimation via *due performance* on *general interests* including but not limited to the provision of security is also explicitly included in Beetham's (2013, 137-139) conceptualisation of *general interests*.

Concerning those properties' significance for authoritarian counter-terrorism, I follow the general observation of Gandhi (2010, 180-185) that differences in authoritarian institutions correlate with and partly account for differences in policy. Fjelde (2010, 198-199) finds the institutional setup of a regime decisive for its capacity to avert the outbreak of civil war. He finds that it determines coercive and co-optive potential based on the capacity to generate information on dissident sentiment and react to it in a timely manner. He argues that the party's information capacities in an O-PEA are superior to those in any other type of autocratic system, enhancing the government's ability to respond with both coercive and co-optive means (199-204). Wilson and Piazza (2013, 945-946, 951-953) raise the same argument for O-PEAs in the counter-terrorism context but without investigating/comparing to M-PEAs.<sup>139</sup> Similarly, and also based on Beetham's account of the congruity of party and state in a *state-socialist* system (II.5.3.4-5) as opposed to the state and the governing party being distinct bureaucracies in the M-PEA, I argue that for the former, the thus bundled and therefore superior information-gathering capacity should be an asset in the early design and smooth implementation of a coherent counter-terrorism policy.<sup>140</sup> Additionally, Lambach and Göbel (2010, 87-90) and Dukalskis and Gerschewski (2017, 258) argue that responsiveness to popular demands does not necessarily mean meeting them but can consist of a reaction primarily framed as responsive (II.5.8).<sup>141</sup> So, responsiveness should also magnify the O-PEA government's ability to draw performance legitimacy from counter-terrorism.

Aside from responsiveness to popular opinion, some groups are closer to the decision-making process than others in the institutional hierarchy of a political system and thus have unique opportunities to influence policy. Albrecht and Frankenberger refer to this phenomenon as "exclusive responsiveness" (*exklusive Responsivität*). This observation is significant to the extent that they (2010b, 55-57; see 2011, 30-32) distinguish autocracies according to whom

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<sup>138</sup> (Boix and Svobik 2013, 313-314; Cheibub et al. 2010, 87; Cassani 2017, 349, 353-354; Dukalskis and Gerschewski 2017, 258; Fjelde 2010, 201-204; Gandhi 2010, chapt. 3, 145, 162, 167; Gandhi and Przeworski 2007, 1281-1283, 1288, 1292; Lambach and Göbel 2010, 83-90; Malesky and Schuler 2011, 492-493, 524-525; Reuter and Robertson 2015, 236).

<sup>139</sup> Notably, Cassani (2017, 353-354, 362-364) builds her investigation into autocracies' ability to provide social services based on the institutionally differential ability to generate information with the converse argument, i.e. that M-PEAs information gathering capability is superior.

<sup>140</sup> The role of and capacity for information-gathering in what Mann calls "infrastructural power" and systemic variation therein as a power-shaping factor and policy implementation capacity are discussed in Soifer (2008, 234, 236-238), but considering his contribution would require a thorough account of Mann's concept of power.

<sup>141</sup> That argument basically extends the „window-dressing“ claim pertaining to electoral autocracies' strategic attempt at creating procedural legitimation - the dominant view of autocratic elections in the extant literature (e.g. von Haldenwang 2017, 16; Schedler 2002, 36-37; von Soest and Grauvogel 2017, 5-6) - from the institutional to the policy-level. The former, however, is irrelevant in terms of impact on counter-terrorism policy.

the leadership is *exclusively responsive* to. The same principle, enforced via their monopoly on leadership authorisation to and removal from power, underlies the GWF typology (Geddes et al. 2014, 314-315, 318) and also those in Magaloni (2008, 731) and Gandhi (2010, e.g. 19-20). Similar mechanisms of responsiveness or accountability to specific groups and their effects are discussed in the context of *audience cost* sensitivity by Weeks (2008, 36-37), Conrad et al. (2014, 541-543) and Aksoy et al. (2015, 462-463). Such uneven access to and influence on political decision-making is, with Beetham (2013, 136, 143-144), widespread across polities and does not constitute a criterion for the exclusion of legitimacy or cause a *legitimacy deficit*. That is at least not as long as what he calls *particularism* is not stacked against the interests of a public or group capable of mounting a protest strong enough to jeopardise fulfilment of the three criteria of legitimate power otherwise (ibid). Then, following inter alia Geddes et al.'s (2014, 315, 318) and Albrecht and Frankenberger's (2010b, 55-57; 2011, 30-32) propositions concerning their unique influence on policy-making, I ask whether the differences in governments' primary support constituencies between O-PEA and M-PEA coincide with those constituencies' particular interests in counter-terrorism policies.

### **II.5.5.3 Responsive institutions, terrorism and counter-terrorism**

All things considered, the institutional arrangements characteristic of O-PEAs and M-PEAs support a legitimate power relationship following Beetham in that they (differently) dispose the leadership to collect information on public opinion and respond to it in a manner that retains legitimacy by assuring congruity between government performance and citizens' norms and expectations (Beetham's criterion of *due performance* on the *general interest*). With Lambach and Göbel (2010, 87-90) and Dukalskis and Gerschewski (2017, 258), this can be either really or discursively. I propose that these institutional differences have effects in the following areas: vulnerability to terrorism, choice of and implementation of certain counter-terrorism models based on the ability to gather information, the preferences of the group the leadership is most responsive to and the ability to coherently implement policy.

Regarding vulnerability to terrorism, the existence of responsiveness in autocracies means that terrorism can, in fact and contrary to the Paradigm's claim (e.g. Abrahms 2007, 229), inflict *audience costs* (Weeks 2008) upon autocratic governments via the population (see Conrad et al. 2014). Regarding counter-terrorism, I propose that the party's co-extensiveness with the system in the O-PEA should provide for better information gathering capacities, facilitating a targeted approach to counter-terrorism. This proposition is based on the generic O-PEA properties discussed at II.5.5.2, on Fjelde's (2010, 198-201) and Wilson and Piazza's (2013, 945-946, 951-953) findings on "state capacity" and on Beetham's (2013, 182-186) arguments concerning *state-socialist systems* ability to prevent the rise of dissidence (II.5.3.5). In the M-PEA, by contrast, I propose that the ruling party does despite elections not entertain comparable information gathering capacities which may slow its response. There is, however,

no expectation as to the actual configuration or preference of models since the arguments pertain only to the capacity to generate information in general. Accordingly, a first question derived for SFC pertaining to the institutional structure is: *How well does the institutional structure permit the ruling party to generate information (Q15)?* Two additional questions regard what Albrecht and Frankenberger (2010b) call *exclusive responsiveness* and are based on Geddes et al.'s (2014, 315, 318) propositions concerning the political influence of what they call "leadership groups": *Does the structure of counter-terrorism institutions reflect the relations of exclusive responsiveness (Q6)? Does the counter-terrorism strategy reflect the policy preferences of the group the leadership is most responsive to (Q14)?*

## II.5.6 Performance legitimacy

### II.5.6.1 The legitimating power of performance legitimacy as "due performance"

Subsections II.5.3.2-4 already discussed Beetham's (2013, 82-90, 137-139) utilitarian justification of political power in terms of fulfilling what he calls *general interests*. This subsection first elaborates further on the nature of the *general interest* and on the reciprocal relationship between its attainment and legitimacy in Beetham's theory to show the relative closeness to what scholars refer to as *performance legitimacy*. Subsequently, I discuss the differential impact of what Beetham calls *performance failures* between the two electoral autocracies and how, based on their institutional dispositions, terrorism may differently impact them with different implications for their resolve to counter it to retain their legitimacy.

In recent years, the notion of *performance legitimacy* has gained traction as an explanation for autocratic regime stability, for instance, in China (e.g. Zhao, D. and Yang 2013; Zhu, Y. 2011). The term denotes the public support a government is able to derive for specific attainments ("performance") on issues of public interest such as economic growth, education or social and healthcare services. As traced by Dukalskis and Gerschewski (2017, 256, 259-260), the idea goes back to the post-totalitarianism paradigm phase in the comparative politics discipline and the surprising stability attained by so-called "rentier states". In the authoritarian context, scholars often seem to imply that such performance legitimacy is somehow fake because it is strategically used to whitewash other shortcomings of governance (e.g. Zhu, Y. 2011, 124-125). An empirically better grounded and more prominent variation on this argument, which still focuses on stability rather than legitimacy as an ultimate goal, is to proceed from a system theoretic perspective based on the thoughts of David Easton (e.g. 1957; 1965) or Talcott Parsons (e.g. 1951). Scholars subscribing to that view<sup>142</sup> see the pursuit of performance legitimacy as part of an instrumental legitimation strategy, referring to the stabilising effects of good performance on what system theorists call the "output function" of political systems and

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<sup>142</sup> (e.g. Albrecht and Frankenberger 2010b, 57; 2011, 37; Croissant and Wurster 2013, 6-8; Gerschewski 2013, 19-20; Grauvogel and von Soest 2017, 158; von Haldenwang 2016, 6-7; Lueders and Croissant 2014, 333; von Soest and Grauvogel 2015, 8; 2017, 5; Wurster and Kailitz 2017, 358).



thus “specific support”, then indirectly, cumulatively and potentially also “diffuse support”. A small subset of that scholarship also looks at governmental discursive strategies to that effect (e.g. von Soest and Grauvogel 2015, 6-8; 2017, 12-13). Beetham’s theory of legitimation is still preferable to the system theoretical approach here because of his premium on legitimacy over stability. Research on discursive strategies also comes with its own problems since it tends to neglect the objective referents of performance and people’s individual evaluative capacity. Yet, these are all “different angles” from which performance can be seen in its relationship with legitimacy and an integrated view of these angles is both plausible and compatible with Beetham (von Haldenwang 2016, 14, 26-28). Said caveats set aside, I argue that within Beetham’s framework even those system theory-inspired and instrumental strategic understandings of *performance legitimacy* can be incorporated as conducive to legitimacy understood in terms of a larger congruity between norms, system of and factual governance for two reasons.

First, if, as here with Beetham, the state is defined in utilitarian terms towards the provision of security and welfare, then positive performance on either of those aspects constitutes *due performance* and is thus conducive to legitimacy. A similar understanding of performance legitimacy and the reference to performance on such utilitarian interests as a source of support also underlies the work of Zhao Dingxin and Yang Hongxin (2013, 11-14) – Weberian but lacking the norms’ dimension – and that of Zhu Yuchao (2011, 124, 127-128, citing Huntington 1967). Schmelzle’s (2011) and Schmelzle and Stollenwerk’s (2018) “virtuous circle” between legitimacy and effectiveness is closer to Beetham’s in that their benchmark norms for evaluation are, though less specific than Beetham’s, “performance-based legitimacy beliefs” and “social goals and values” shared by the subordinate group in question. In theory, they distinguish “performance-based legitimacy” from “intrinsic legitimacy” – the difference being that the latter has a normative (prescriptive) component that the former lacks and thus constitutes a fuller form of legitimacy (Schmelzle 2011, 13-14; Schmelzle and Stollenwerk 2018, 457-461). The former is nonetheless a necessary condition and later component of the latter to the extent that they suggest it as part of a legitimacy-building strategy (ibid). The counterpart to the positive contribution of performance to legitimacy is the negative effect of its absence on legitimacy: if Beetham’s *due performance* is a necessary component of legitimacy, its absence should logically have a negative impact on legitimacy, turning Schmelzle and Stollenwerk’s *virtuous circle* into a *vicious* one.<sup>143</sup> This threatens what Beetham calls a *legitimacy deficit*.<sup>144</sup> The idea is not unique. Huntington (1991, 50, cited in Croissant and

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<sup>143</sup> Schmelzle and Stollenwerk (2018, 458) only deal with the negative impact a lack of legitimacy has on effectiveness, but the other relationship is a logical corollary of the former since they understand the two as part of “a mutually reinforcing process”.

<sup>144</sup> (II.5.3.3-4 above; Beetham 2013, 11-12, 17-18, 82-90, 135-150, 168-169, 205-211; see Holbig 2006, 10, 14; 2011b, 168-169; 2013, 64; Holbig and Gilley 2010, 412; Zhao, D. and Yang 2013, 9).

Wurster 2013, 8; Gilley and Holbig 2009, 350-351) already pointed to the threat performance failures pose to a government that regularly relies on its performance in the economic sector for legitimacy. This is the baseline for two key arguments pertaining to terrorism: that autocratic counter-terrorism does not take place in a legitimacy vacuum but is part and parcel of governmental *due performance* on the *general interest*;<sup>145</sup> and that systemic differences in vulnerability to *legitimacy deficit* may give rise to differences in resolve as well as policy (II.5.6.2).

Secondly, Beetham also admits the existence of other, though secondary, *general interests*, which – being norms – are matters of social and discursive construction. In Schmelzle and Stollenwerk’s (2018, 459-460; also Schmelzle 2011, 13-14) framework, they can fall within the fields of “performance-based legitimacy beliefs” or “shared social goals and values”. By virtue of their dependence on the agreement of the “diverse legitimacy audiences” constitutive of different polities (463) – similarly to Beetham’s *legitimacy-in-context* – these converging norms and interests are thus points of variation between polities (Zhao, D. and Yang 2013, 14). At the same time, the fact that the government has some – discussed at II.5.8 – capacity to influence those constructions does not deal away with the fact that, if they are commonly shared, they qualify as *general interests* and catering to them again falls within the scope of *due performance*, thus conducive to legitimacy.<sup>146</sup> As a matter of fact, Gilley (2006, 502), Holbig and Gilley (2010, 400), Holbig (2006, 13-14; 2011b, 169; 2013, 64-65), von Haldenwang (2016, 14-16), Zhu Yuchao (2011, 128, 134-135), Schmelzle (2011, 14) and Schmelzle and Stollenwerk (2018, 460) all argue that without sufficient (institutional) framing on the part of and successive popular attribution of that performance to the government, no performance legitimacy will exist because – in a norm-based or constructivist framework even more so – facts do not speak for themselves. That means that the so-called “performance-related narratives” or “performance claims” which, for instance, von Soest and Grauvogel (2015, 6-8; 2017, 12-13) see as part of instrumental legitimation strategies aimed at stabilisation, are nonetheless relevant.

For those reasons, I consider the notions of *performance legitimacy* as used in the extant literature not always synonymous with Beetham’s understanding of legitimacy but in its effects as a building block sufficiently compatible to further use the term in the sense of Beetham’s

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<sup>145</sup> In the discussion part of Korte (2018a, at 1:03-1:06), I briefly sketch this argument.

<sup>146</sup> Admittedly, the bridge Beetham (2013) builds between purpose- and norm-oriented legitimacy is not the strongest. In Chapter 4, he makes the construction of the norms and principles pertaining to the *general interest* and of the rules and procedures establishing political authority and exercise of power reflecting the former a mix of individual norms held a priori, intersubjectively (re)constructed ones and common-to-all interests in security and welfare. Ontologically, this puts him somewhere between a rock and a hard place. His argument (e.g. Beetham 2013, 27) that human beings are both moral agents, derived from moral philosophy, and rationally calculating self-interested, usually prominent in empirical social science, is nonetheless compelling and for that reason it is maintained here despite those weaknesses (Schmelzle and Stollenwerk 2018, 456 do this, too). It also provides for variation between different political systems regarding their indigenous *general interest* beyond the generic purposes of security and welfare, with different implications for their vulnerabilities to terrorism.

(2013, xiii) criterion of governmental *due performance* on a political system's *general interest*. That is in the interest of the largest proportion of the polity, not in the sense of the satisfaction of individual interests or the co-optation of smaller constituencies through the distribution of rents (II.5.9).

### **II.5.6.2 Differences between “general interests”, “performance failures” and their impact on governmental/systemic legitimacy**

So far, the argument has been that political systems and their governments generically derive at least part of their legitimacy from what Beetham calls *due performance* on the *general interests* of security and welfare and that its absence can have a negative impact via causing a *legitimacy deficit*.<sup>147</sup> The logical upshot is that, generically, such *legitimacy deficit* is to be avoided and *due performance* to be upheld to sustain legitimacy. At that point, there are two potential sources of variation between the two systems under investigation. The first derives from differences between the potential effects of what Beetham calls *performance failures* on the two systems, the second from differences in *general interests* that derive from the relative diversity of norms and interests between them beyond the shared generic ones in security and welfare (Korte 2018a).

As discussed at II.5.3.4, with Beetham, governments in O-PEAs and M-PEAs vary in their ability to distance themselves from *performance failure* and, due to the congruity of party and state bureaucracy in an O-PEA system, the government should have a harder time with this. Beetham (2013, 141) emphasises this point for the state-socialist ideal type with economic failure which the governing party cannot deny its responsibility for since it controls the centrally planned economy. Present-day China after the neoliberal reforms certainly differs from the ideal type, but the larger argument pertaining to a single party's relative inability to outsource responsibility for *performance failures*, besides sacking individuals, remains. Moreover, the *legitimacy deficit* deriving from *performance failure* affects the entire system (Beetham 2013, 141, 145-146, 181-190). In addition to the generic O-PEA nature, pertinent to Beetham's elaborations on State Socialism and knowledge of the cases but in excess of the provisions made by WTH's typology, I consider *State Socialism* and its system(at)ic reliance on ideology a magnifying glass for legitimacy vulnerabilities to *performance failure* and therefore as a discrepancy between the two specific cases (see II.5.7.2 on ideology). By contrast, since deflection of responsibility is possible in M-PEAs, there it only affects the government.<sup>148</sup> As already argued at II.5.3.4, China as an O-PEA following WTH should be more vulnerable to terrorism as a threat to Beetham's *general interest* of security than Russia. Moreover, integrating these arguments with the utility of good performance underlying the arguments on performance legitimacy (II.5.6.1), the argument is extrapolated from averting *legitimacy deficit*

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<sup>147</sup> (II.5.3.4 and II.5.6.1 above: Beetham 2013, 11-12, 17-18, 135-150, 168-169, 205-211; Holbig 2006, 10, 14; 2011b, 168-169; 2013, 64; Holbig and Gilley 2010, 412; Zhao, D. and Yang 2013, 9).

<sup>148</sup> (Beetham 2013, 136, 141, 145-149, 151, 168-169, 205-208).

to enhancing legitimacy to predict a resolve in investing extra in harvesting performance legitimacy from counter-terrorism.

### **II.5.6.3 Performance legitimacy, terrorism and counter-terrorism**

Presupposing that terrorism does constitute a threat to *general interests* and based on my theoretical analysis of how *due performance* relates to legitimacy, to the differences between O-PEAs and M-PEAs and if a system is characterised by State Socialism in terms of the *general interest*, areas and magnitude of vulnerabilities in case of *performance failure*, my proposition pertaining to vulnerability to terrorism and resolve to counter-terrorism is the following. Based on the governments' comparative ability to distance themselves from or absorb *performance failures* in Beetham's theory (II.5.6.2), I expect terrorism to be more threatening to O-PEA than to M-PEA systems because of the relative congruity of party and system.<sup>149</sup> However, operationalising the extent of *due performance* and its contribution to legitimacy in general and measuring it empirically is tricky because satisfaction is not necessarily inferable from *expression* or *performance of consent* (see Holbig 2011b, 167-168; Wurster and Kailitz 2017, 355). Here, looking at the governmental threat narrative may permit conclusions regarding vulnerability to be drawn in the case of the O-PEA system, but not for the M-PEA where the government will speak for itself rather than for the system. Any governmental threat narrative is likely to have both diagnostic and strategic framing elements that are inseparable.<sup>150</sup> So, the only thing that can be observed here given time and data constraints is *how the government describes the threat of terrorism to the system's "general interest"* (Q1). Analysis of the governmental threat narrative as an indicator of its threat perception should account for the two systems' differing relative vulnerability to terrorism although, realistically, only governmental threat perception can be observed. However, neither vulnerability nor threat perception are expected to deterministically precipitate a specific counter-terrorism policy preference. I posit that a high vulnerability and threat perception incentivise a government to commit to tackling that threat because of its high stakes in case of failure. These questions speak directly to the part of the counter-terrorism literature that sees authoritarian counter-terrorism as characterised and conditioned by the absence of legitimacy, facilitating lack of restraint. Meanwhile, this renders counter-terrorism itself an issue that can be framed as a source of performance legitimacy. That is precisely because of its high relevance to the provision of security as a *general interest* and because of the discursive components to the construction of norms and to the evaluative process. Accordingly, SFC also asks whether *success in counter-terrorism is cited as a source of performance legitimacy* (Q3).

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<sup>149</sup> In the discussion part of Korte (2018a, at 1:03-1:06), I provide a brief sketch of the performance-legitimacy-based argument that variation in counter-terrorism policy can be explained in reference to variation in threats to different "existential interests", but that pertained to the content rather than structural disposition for distancing.

<sup>150</sup> (Campana 2013, 459-460, 462; 2014, 244-250; Crotty 2004, 7-8; Perliger 2012, 527).

## II.5.7 Ideology<sup>151</sup>

### II.5.7.1 *The legitimating power of ideology*

In this subsection, I argue that the presence of ideology as a source of legitimacy creates additional vulnerabilities to terrorism. That is because, by threatening ideology's unassailability, terrorism threatens the entire logical complex that justifies a given power arrangement as well as the practical maintenance of the effectiveness and *performance of consent* that sustain it – ideology's core functions in Beetham's framework (Holbig 2006, 10-16; 2013, 62-65). Following Holbig and Gilley (2010, 396, 399-400) and Holbig (2013, 64-65, 72) on ideology's role as a frame of reference for harvesting performance legitimacy, I argue that ideology also provides a frame of reference for justifying counter-terrorism engagement and for deriving performance legitimacy from it. These arguments require a brief conceptual tour of ideology and its legitimating functions in autocracies, particularly under State Socialism.

An ideology can be defined as a system of meaning, ideas and beliefs, including individual and collective identities. The normative "teleological", i.e. future-oriented component is important in any ideology, regardless of context and specificity for it prescribes how the social world can be brought into unison with the system of ideas and beliefs which the ideology is logically and semantically based on, thus justifying a certain systemic setup in reference to expediency.<sup>152</sup> Beetham (2013, 34-35, 104-108) rejects ideology as a singular and self-referential source of legitimacy that is disseminated top-down to produce a Weberian *Legitimitätsglaube*. Such an understanding underpins most theories of totalitarianism.<sup>153</sup> Following Beetham, I understand ideology to still function as an important source of legitimacy in that it connects the various norm components of legitimation. In the case of *State Socialism in mobilisation mode*, it stands in a co-constitutive relationship with the institutionalised system of power: It contributes to the realisation of systemic functions and goals through participation and commitment next to the *performance of consent* that such participation symbolises (Beetham 2013, 155-157, 181-184; II.5.3.3-5 above). The idea that ideology remains a source of autocratic legitimation complementary to responsiveness and performance legitimacy resonates with the more strategic approaches to legitimation.<sup>154</sup> It also ties in with Kneuer (2017) in her acknowledgement of the role of governmental argument patterns sharing certain characteristics with ideologies but falling short of constituting full ideologies.

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<sup>151</sup> I am indebted to Heike Holbig for her valuable comments on my conceptualization of and observations on ideology, especially in her assessment of my dissertation and the defence.

<sup>152</sup> (e.g. Dukalskis and Gerschewski 2017, 253-255; Grauvogel and von Soest 2017, 157; Holbig 2006, 7-8, 11; Kailitz 2013, 42, 47, 52; Kneuer 2017, 186-187; Lauth 2010, 103-105; Linz, 2000, 76-78, 162-164; von Soest and Grauvogel 2015, 7; 2017, 4; Schmid 2011b, 643-644).

<sup>153</sup> (Dukalskis and Gerschewski 2017, 253-255; Kneuer 2017, 186-188; Linz 2000, 76-78, 162-164; Mackow 2009, 23-29).

<sup>154</sup> (e.g. Dukalskis and Gerschewski 2017; Gerschewski 2013; Grauvogel and von Soest 2017; von Soest and Grauvogel 2015; 2017).

In Holbig's (2013, 62-65) account of ideology's functions based on Beetham's framework, she discerns three which comport with his triad of criteria for a legitimate power relationship (II.5.3.3): "the provision of normative justifications for the rightful source of political authority; the definition of the proper ends and standards of regime performance; and the mobilization of consent" (62-63, see Holbig 2006, 10-16; Holbig and Gilley 2010, 405). I understand the fulfilment of all three of these legitimating functions to be necessary for a linguistic or ideational system to classify as an ideology. That radical, though not totalitarian, understanding is the baseline for ideologies' distinction from what Kneuer (2017, 183-191) calls "missions", including "ideational legitimations". She conceptualises those as referring to the pursuit of confined policy objectives and their affective framing to the population as part of a legitimation strategy (ibid). They may fulfil some of the ideological legitimation functions outlined by Beetham and Holbig, but they are distinguishable by their comparable limitation, in particular the failure to fulfil all three functions to the same comprehensively legitimating degree. Kneuer's "missions" and their component "ideational-identitarian argument patterns" do not teleologically justify a system permanently and in its entirety. Rather, they are accessory to legitimation strategies with a limited issue- and time-frame, even to the extent of justifying complete systemic transitions, but they are prone to change and disappear more readily than full-blown ideologies (Kneuer 2017, 183-191).<sup>155</sup> In what follows I will mostly limit my argument to the role of ideology in Beetham's *state-socialist* type due to its relevance to China, treating post-socialist Russia as a non-ideological system.<sup>156</sup>

Concerning the first of ideology's three functions, in Beetham's *state-socialist* ideal type, ideology contains the twin sources of authority of the party's leadership, both of which are situated in the doctrine of Marxism-Leninism: One is the prima facie oxymoronic notion of a single-party elite's leadership embodying the principle of popular sovereignty (in the Soviet Union representing the working class, in revolutionary China the peasants); the other one is the justification of the party's vanguard function in terms of its exclusive scientific knowledge which capacitates it to lead historic development.<sup>157</sup> Tying in with that, ideology's second function is "to define the proper ends and standards of regime performance" (Holbig 2013, 64)

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<sup>155</sup> "Ideational-identitarian argument patterns" are in their strategic nature and limited extent partly similar to "legitimacy claims" conceptualised, for instance, by Gerschewski (2013, 19-20), Dukalskis and Gerschewski (2017, 260), Grauvogel and von Soest (2017, 155-159, 164-165) or von Soest and Grauvogel (2015, 5-9, 24-25; 2017, 3-5, 10-11).

<sup>156</sup> Russia's treatment is based on consideration of the pluralistic governance attempts and liberal legislation efforts of the Yeltsin era, especially text and spirit of Russia's 1993 Constitution, and on Putin's outright rejection of and break with the Socialist ideological past, for instance, in his 1999 article "Russia at the Turn of the Millenium" (Kneuer 2017, 196-197; Putin (1999) 2021, 671; Sakwa 2021, 114, 315-316, generally chapt. 5, 11, 16, 18). While I rely on Kneuer's observations concerning "missions" for Russia, following arguments primarily raised by Heike Holbig, I do not agree with Kneuer's (2017, 200-201) classification of China as "post-ideological". While that classification may be a result of her narrow definition of ideology, most of the evidence she cites in favour of finding *missions* can equally well be understood as part of the ideological reforms discussed in Holbig (2006; 2013) or Holbig and Gilley (2010).

<sup>157</sup> (Beetham 2013, 89, 181-182; Holbig 2006, 11-13; 2013, 64; Kailitz 2013, 47 treats them as one in the "theory of history"; Zhu, Y. 2011, 126-127).

by defining the *general interest* and providing a frame of reference within which the party's performance can be interpreted as conducive thereto (see 62-65, 72; Holbig 2006, 10-11, 13-14). While Beetham (2013, 137-138; II.5.3.4 and 5.6.2 above) insists on the generic nature of security and welfare as *general interests*, there is leeway as to the construction of meaning of those terms and of their evaluation standards. He admits the existence of additional socially constructed *general interests* in the same breath (see II.5.3.4 and II.5.6.2). The definition components of ideology referred to by Holbig groom this very space. There, Holbig and Gilley (2010, 396, 399-400) investigate the links between CCP ideology and performance legitimacy in that the former is a framing resource for the latter and the latter a resource for confirming the validity of the former (see Holbig 2006, 13-14; 2013, 64-65). So on the one hand, Beetham (2013, 104-106) caps the *self-closure* of ideology as a source of legitimacy in his state-socialist model. On the other hand, as a framework, it provides the tools for the leadership to frame additional *general interests* as well as the system's and its own performance as conducive thereto to enhance performance legitimacy. Similar dynamics are indirectly found by Grauvogel and von Soest (2017, 165-172, transl.) in their encounter of a combination of "identity-based with performance-based narratives".<sup>158</sup> This indicates that semantic and logical systems short of full-blown ideologies may also be capable of fulfilling said second function, at least partially.

Finally, ideology mobilises support as *expressed consent* to the political power relation (Holbig 2006, 14-16; 2013, 64-65). In State Socialism, the legitimating power of that *expressed consent* derives from its performance as a self-standing criterion in Beetham's theory and from the effects of participation in the system to work on its goal attainment (Beetham 2013, 155-157, 181-185). Holbig (2013, 74-77) finds for the case of China that this mobilisation does not necessarily entail that "ideology [... is] internalized in the sense of deep-rooted beliefs; rather it can be expected to be effectively legitimizing party rule as long as the subordinates play by the rules of the official language game and subscribe to the regime's symbolic construction of social reality" (77; see 2006; 15-16). On the one hand, this lack of a need of complete internalization in Holbig's relatively pragmatic understanding of ideology resembles the "limited" internalization and commitment requirements of "ideational-identitarian argument patterns" in Kneuer's "missions" (2017, 187, 183-191). On the other hand, Holbig (2006, 15-16) also shows that open challenges to the party and its ideology are not tolerated and met with repression because of their larger delegitimizing potential pertaining to the system's dependence on the unassailability of ideology.<sup>159</sup> Said overarching linguistic and ideational framework character for "the construction of reality" rather than only parts thereof unveils the true centrality and

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<sup>158</sup> Transl. from „identitätsbasierte mit Performanz-bezogenen Narrativen verbindet“ (172).

<sup>159</sup> (see Beetham 2013, 182-183; Holbig 2006, 14; 2013, 73-77; Kailitz 2013, 47).

comprehensiveness of ideology in contrast to “missions” or “ideational-identitarian argument patterns”.

### **II.5.7.2 Ideology, vulnerability to terrorism and counter-terrorism**

Given ideology’s role as a source of authoritarian legitimacy and a resource in legitimation in combination with other (re)sources, I propose that the presence and content of a full-blown ideology play a role in the two governments’ threat perception of terrorism and responses to it. Specifically, I propose that where ideology is relied on for legitimating a government in power and for mobilisation purposes, that renders the government intolerant to dissidence. That is because its legitimacy depends on the integrity and credibility of ideology’s content as an overarching framework connecting Beetham’s (2013, 183) criteria of *rightful authority*, *general interest* and *due performance* on it (Holbig 2006, 10-15; 2013, 62-65). From ideology’s legitimating functions in *state-socialist* systems, I discern three reasons why it should act as a magnifying glass for government’s threat perception of and vulnerability to terrorism. This is also partly based on Beetham’s (2013, chapt. 6; II.5.3.4-5 above) propositions concerning the co-constitutiveness of party and system in state-socialist systems, their orientation towards safeguarding and reliance on the unassailability of ideology and the resulting characteristic system-wide *crisis tendencies*.

The first proposition pertains to ideology’s first function – justifying the rightfulness of *political authority* (e.g. Holbig 2006, 11-13): Terrorist goals towards whose attainment terrorism is used and the alternative political visions symbolically or directly communicated by terrorists contradict any notion of exclusive authority contained in ideology. With Beetham (2013, 182-183), Holbig (2013, 73-77) and Kailitz (2013, 47), that is intolerable and threatens a systemic *legitimacy deficit* in as much as the state-socialist system relies on ideology’s unassailability. The upshot is still similar if ideology is primarily seen as semantic framework, a “language game” (Holbig 2013) that goes towards the maintenance of performance legitimacy in various ways (Holbig 2013, 64-65; Holbig and Gilley 2010, 396, 399-400). That is because challenges thereto reduce the government’s ability to rely on the former for its legitimation – be it in very general terms or concerning more specific interests and governmental performance on them. A final point concerns terrorism’s interference with ideology’s *mobilisation of consent* function (Holbig 2006, 14-16; 2013, 64-65). There, it interrupts the self-reinforcing dynamic via which Beetham (2013, 155-157, 181-186) sees participation in mass mobilisation to constitute citizens’ contribution to the realisation of systemic goals and thereby indirectly to legitimation, above and beyond the articulation of consent contained in that participation. That is why he already appreciates dissidence as a legitimacy threat (183-186). Then, the threat terrorism poses to a legitimation of power based on ideology derives partly from the gaping discrepancy between the semantic content of ideology and people’s real-life experience with the system. In another part it stems from the rupture in people’s behaviour that regularly constitutes the



practical part of ideology's system-legitimizing capacity. For those reasons, I propose that China as an O-PEA according to WTH, relying on State Socialism as a legitimating ideology, is more vulnerable to terrorism than Russia, absent reliance on a full-blown ideology. This has to do with the fallout of what Beetham calls *legitimacy deficit* towards the system (II.5.3.3-4, II.5.6), with "missions" or "ideational-identitarian argument patterns" (Kneuer 2017) lacking comparable extent and impact in case of failure. The already formulated question *how the governmental threat narrative describes the threat of terrorism to the "general interest"* (Q1) subsumes this argument.

The flipside of the coin is that with Beetham (2013, 182-186), ideology-reliant systems are also uniquely equipped to forestall and suppress the dissidence that is so threatening to them.<sup>160</sup> Thus, I ask *whether the presence of ideology concurs with any particular counter-terrorism policy preferences* (Q16). I expect the reliance on the unassailability of ideology to concur with a refusal to negotiate (absence of conciliatory counter-terrorism models, see II.3.4). That is because negotiations alone would acknowledge the potential truthfulness of any claims made by the other side, a risk generally pointed out by Dixon (2015, 188-189) for negotiations.<sup>161</sup> Similarly, those communicative, process-based and condition-centric structural measures (II.3.5) that involve recognition of alternative truths or the actors who claim and represent them should be absent, too. The Russian government that does not rely on a full-blown ideology for authorisation and mobilisation should, by contrast, feel less threatened by ideational challenges because it does not rely on the infallibility of a necessarily unassailable ideological framework for the justification of its power.<sup>162</sup>

My final point is a corollary of Holbig and Gilley's (2010, 396, 399-400) and Holbig's (2013, 62-65, 73) argument concerning the role ideology plays in the framing of goals and retrieval of performance legitimacy based on meeting these. I argue that ideology may equally function as a frame of reference in two ways pertaining to counter-terrorism: first, for justifying certain types of counter-terrorism measures, for instance, low-level coercion or communicative measures aimed at silencing dissent before it violently erupts, as argued by Beetham (2013, 182-186) and Holbig (2006, 14; 2013, 65); secondly, for framing counter-terrorism as a source of performance legitimacy. The two questions *whether or how the governmental narrative justifies measures taken* (Q2) and *whether or how success in counter-terrorism is cited/framed as a source of performance legitimacy* (Q3) will yield a discussion of the role of ideology to those avails. Meanwhile, both points relate to the framing and justification of counter-terrorism measures adopted, not to preferences for the adoption of specific models.

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<sup>160</sup> (II.5.3.5 above; Holbig 2006, 14; 2011b, 169-170; 2013, 65, 74-75).

<sup>161</sup> (see Blankenship 2018, 384; Bueno de Mesquita 2005, 148; Lapan and Sandler 1988; Saygili 2019, 470).

<sup>162</sup> See notes 127 and 156 above.

## II.5.8 Discursive power

### II.5.8.1 *Governmental discursive power as a resource in the legitimation of power*

*Governmental discursive power* is understood here as a government's ability to influence the content of verbal and visual communication, i.e. as power exercised in the realm of discourse as well as through it. Although it is a form of power in and of itself, I only consider it as a resource (not source!) for the legitimation of political power here. Beetham does not explicitly talk about discursive power. Yet, it is more feasible to deduce the concept from his conceptualisations of *power* and *self-closure* than to integrate a more well-defined alien concept from, for instance, Steven Lukes (2005) or Michel Foucault (2005). These are part of comprehensive theories of power that themselves deserve thorough consideration. Moreover, they are ontologically hard to reconcile with Beetham because they go deeply into the spheres of individual beliefs where he is more concerned with the effects of expressions of consent on legitimacy. Though partly based on norms and beliefs, he is very clear about the limits of inference of their existence (Beetham 2013, 267; Holbig 2011b, 167-168; Wurster and Kailitz 2017, 355). In this subsection, I explain my conceptualisation of discursive power within Beetham's framework (II.5.8.1) before discussing how the relative differences between political systems can be assessed using the framework of Jungherr et al. (2019 see II.5.8.2). The third subsection (II.5.8.3) argues why and how *governmental discursive power* should be a unique asset for any of the communicative counter-terrorism models identified at II.3.6. I also propose that discursive power enables a government to frame the risk of terrorism strategically and its performance in counter-terrorism towards performance legitimacy and how this may differ between the two types of systems.

Beetham does not elaborate much either directly or indirectly on the notion of discursive power beyond his warning not to overestimate the capacity of those in power to relegitimate their position through what he calls "ideological work". He does this as part of his criticism of Weber's intellectual descendants and of what he refers to as the "'dominant ideology' approach" (Beetham 2013, 34-35, 104-108). Two facts about his theory of legitimation need to be recalled. First, legitimacy can be gained and lost, it is dynamic and permanently under challenge and reconstruction.<sup>163</sup> This organic process takes place in the realm of norms and ideas as referents of all three legitimation criteria, a realm of social construction in discourse. That is inherently susceptible to discursive influences including those on the part of the government. Von Haldenwang (2016; 2017) captures this as the "dialogical character" of legitimation. There, Beetham (2013, 104-112) does not entirely discount a given power structure's reproduction of its own legitimacy nor the power of communication within it. He caps the latter, inter alia in reference to human beings' capacity to rationally evaluate the information they are given and only embrace it if it is credible in light of their experience (105-106). Secondly, the organic

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<sup>163</sup> (Beetham 2013, 99, 103, 106-108; see Gilley and Holbig 2009, 359; Holbig 2006, 9, 14; Kneuer 2017, 186).

process of legitimation is equally situated in the material or empirically observable realm. Here, people actively contribute to the performance of the system, helping it in being effective at meeting its purposes (33-34, 137) and here they express their consent, synchronously in *mobilisation mode* (155). While Beetham's *self-closure* is thus indeed concerned with the self-reinforcing dynamics of legitimate power structures, that process necessarily encompasses both realms. It refers to the structures holistically rather than to an exclusive top-down reinforcement by incumbents. Mindful that the discursive space is only one realm where legitimacy is generated, he does not, however, conceive of that space as defined by even access and fair dealing. Rather, he describes it as favouring those who hold power, giving them a competitive edge in reinforcing their position by influencing discourse (62, 104-112). It is that competitive edge which I call discursive power.

To make these ideas of access and influence observable, I derive a definition of discursive power from my own understanding of discourse and from Beetham's definition of power. I understand *discourse* to refer to all kinds of verbal and visual communication. This includes unidirectional communication through state media, propaganda and educational content and interactive communication among the population, for instance, through private media or online communication. *Power* is defined by Beetham (2013, 43, citing Wrong 1979) as "the ability to influence or control the actions of others, to get them to do what we want them to, and what they would otherwise not have done". This is notably different from the concept of discursive power developed by Lambach and Göbel (2010, 84-85, auth transl.) whom I rely on elsewhere (II.5.5 above). Their conceptualisation of discursive power in recourse to Lukes (2005) is, in its extension to "a regime's capacity to have its subordinates do and want what it wants,"<sup>164</sup> i.e. entering the very realm of people's thoughts and wishes, too intrusive for Beetham's intellectually autonomous individual (Beetham 2013, 104). By contrast and as a derivative of his definition of *power* then, I define *discursive power* as power in the realm of discourse, that is the ability to influence the content of verbal and visual communication. It encompasses the ability to place one's own narrative as well as get others to embrace it – in the sense of "playing by the rules of the official language game" as proposed by Holbig (2013, 74), but not necessarily adopting its logic into one's very own thoughts – and adapt behaviour accordingly.<sup>165</sup> *Governmental discursive power* is the discursive power held by governments.

Within the framework of Beetham's *self-closure*, governmental discursive power can then be a resource in the legitimation of power as it permits for stimulating the discursive aspects of norm- and belief-formation and the evaluation of government performance into a certain direction (II.5.6 above, e.g. Holbig and Gilley 2010, 400). Subsequent to the discussion of

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<sup>164</sup> Transl. from "die Fähigkeit eines Regimes, seine Untertanen das glauben zu machen und wollen zu lassen, was es will".

<sup>165</sup> (see Jungherr et al. 2019, 3, 5-9, 17; cf. Mann 2008, 358: "ideological power"; Lambach and Göbel 2010, 84-87: "discursive power").

discursive *self-closure* it should be needless to reiterate that so-called “legitimacy claims” or “performance claims” as a sub-group thereof can only be an accessory to legitimation, not single-handedly produce it.<sup>166</sup> Governmental discursive power then is an asset in advancing and defending these against claims to the contrary, with censorship being a potentially powerful tool thereof (Dukalskis and Gerschewski 2017, 261; Grauvogel and von Soest 2017, 155-156). Moreover, paralleling Beetham’s (2013, 138-139, 182-186; II.3.5.4-5 above) argument that coercion need not be illegitimate if the larger power system within which it is embedded retains its legitimacy, censorship as a coercive expression of discursive power can be part of a legitimate power relationship by the same token. Also, based on Beetham’s (2013, 104) recognition that “the degree of this influence, or self-closure, will vary between societies and between different power structures within them”, I expect variation in governmental discursive power between the two types of electoral autocracies. That is based on both the single- versus multiparty nature and their institutional disposition to sustain mobilisation and disseminate ideology or not to.

#### **II.5.8.2 Assessing variations in discursive power<sup>167</sup>**

Governments’ discursive power can be empirically assessed using a framework developed by Jungherr et al. (2019). It distinguishes between individual, organisation and systemic-level influences (10). At systemic level, which is the most relevant for empirically capturing variation between the two electoral autocracies, they distinguish between *political parallelism* and *regulatory environment*. By *political parallelism* – a concept they themselves cite and adapt from Hallin and Mancini (2004, 26-33) – they refer to the degree of institutional or personal influence political actors have on the media. Jungherr et al. (2019, 14) expect *political parallelism* to not only influence the structure of the media landscape but also the content, foreclosing the (re)production of news that undermine the government’s specific position on an issue or authority more generally. Hallin and Mancini (2004, 43-44) themselves do not conceptually separate these other means of governmental influence. Jungherr et al. (2019, 14-15), by contrast, distinguish the *regulatory environment* to mean to what part news media are publicly funded as well as the legislation governing, for instance, access to the information space or free speech. Jointly, the two indicators thus represent how much power a government can theoretically exercise in domestic media discourse (16).

While the Russian media system has changed immensely over the past two decades (see III.7), I expect variation between the cases partly due to the single- versus multiparty nature and partly due to the characteristics of Beetham’s *state-socialist* model. Where functional, its *self-closure* lies in the political system’s institutional set-up so as to reproduce ideologically

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<sup>166</sup>(e.g. Dukalskis and Gerschewski 2017, 253, 260; Grauvogel and von Soest 2017, 154-155; von Haldenwang 2016, 3-4, 9, 14-18, 20-23; 2017, 4, 6, 9; Lambach and Göbel 2010, 89; von Soest and Grauvogel 2015, 5-6; 2017, 2; Wurster and Kailitz 2017, 358).

<sup>167</sup> This subsection is partly based on Korte (2019a).

and confirm through goal attainment the rightfulness of the doctrine (ideology) that sustains the system's legitimacy and the role of the party within it (Beetham 2013, 181-183).<sup>168</sup> In that setting, he regards the party's discourse monopoly, surveillance and suppression of dissent to sustain the former to be standard systemic features that contribute to legitimacy rather than contradict it (183; see Holbig 2006, 14; 2013, 65). As far as single-party nature is concerned, Lambach and Göbel (2010, 84-87) observe that *discursive power* concurs with and relies on governmental *infrastructural power* (in Mann's sense). I accordingly suggest that where party and state overlap, the former can control and use the latter's *infrastructural power* in its interest. By contrast, a multiparty system should not only be able to tolerate dissent but, following Beetham (2013, 157), even need it. Thus, governmental discursive power is expected to be low, particularly absent reliance on ideology for legitimacy. These propositions are, though themselves conditions for my argument concerning the role of discursive power in counter-terrorism, subject to prior verification.

### **II.5.8.3 *Discursive power and counter-terrorism***<sup>169</sup>

As mentioned at II.4.2, the relatively homogenous presumption in the literature both in terms of homogenising autocracies and being shared by scholars is that autocratic governments censor and control their media.<sup>170</sup> The assumed benefits – the capacity to hush ideational challenges long before they gain violent traction and deny terrorist movements attention in relation to an attack or coverage of their demands and motives more generally – can be grouped with what I have conceptualised as actor-centric and target-centric communicative counter-terrorism respectively (II.3.6; Korte 2019a). Yet, it should be noted that cited scholars typically argue from either a moral high-ground or at least view “mass indoctrination” (Byman 2016, 79-80), “mass mobilisation” or “prohibition on dissent” (Ucko 2015, 8-10) as negatively connotated characteristics of authoritarian stabilisation. This is different from my conceptualisation of discursive power as positively contributing to systemic or governmental legitimation. Moreover, said scholars' view of these discursive means as coercive precludes the constructive and interactive grappling with ideology as part of actor-centric radicalisation prevention (II.3.6.3 above, e.g. El-Mafaalani et al. 2016), the interactive character of fear management (II.3.6.2 above, e.g. Posner 2002, 687-693) or development of coping mechanisms and resilience (e.g. Crelinsten 2014, 9) in target-centric communicative counter-terrorism. I thus disaggregate governmental counter-terrorism efforts in this realm to consider non-coercive and interactive communicative means. I also view these from the morally

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<sup>168</sup> But note the limits individual rationality imposes on *self-closure* as well as the less discursive but experiential dimension to legitimacy's production (see II.5.3.5 above, e.g. Beetham 2013, 8-10, 33-34, 104-108, 137).

<sup>169</sup> This subsection is partly based on Korte (2019a).

<sup>170</sup> (Byman 2016, 79-80; Ghatak et al. 2019, 244; Kydd and Walter 2006, 62; Piazza 2015, 4, 6; Savun and Phillips 2009, 811; Ucko 2015, 3, 8-10, 27).

detached conceptual stance of discursive power as a resource of legitimation rather than as morally despicable tools of stabilisation.

In the previous two subsections I have argued in favour of expecting different magnitudes of discursive power. This was based on differing systemic requirements concerning dependence on ideology and co-extensiveness of governing party and system (O-PEA) versus tolerance of dissidence as well as separability of governing party from system (M-PEA). Now, I propose that where discursive power is a resource that generally privileges governmental legitimation, that resource should also be an asset in the implementation of communicative counter-terrorism measures. However, where ideology needs to remain unassailable to sustain the legitimacy of single-party rule, that is a constraint (II.5.7.2). The question is *whether high governmental discursive power concurs with any or all of the four communicative counter-terrorism models (Q9)*. High *governmental discursive power* is understood as determined by *political parallelism* and a *regulatory environment* (Jungherr et al. 2019, 14-15) favouring the government. The expectation is for the Chinese government to have larger discursive power than the Russian one based on single-party and *state-socialist* nature (II.5.8.2). This is a unique asset for communicative counter-terrorism. Yet, reliance on the unassailability of ideology should act as a constraint since it renders discursive engagement with another ideology, e.g. in radicalisation prevention, unfeasible. The reason is that that would entail an implicit admission that official ideology has its limits, in line with Beetham's (2013, 183) discussion of state-socialist systems' low tolerance for dissent (II.5.3.5).

Another component to this is the original construction of the threat of terrorism as well as the labelling of terrorists. Concerning the social construction of catastrophic risks in general, Beck (2008, 70-72, 255) notes that there are subject- and policy-specific variations in the distribution of the power to define these risks (so-called: "Definitionsmachtverhältnisse"). Although Beck primarily looks at the situation in liberal democracies, his argument is transposable to the larger point on discursive power: A government's powerful position within such *Definitionsmachtverhältnisse*, i.e. a high degree of discursive power, permits for "strategic framing" in the Copenhagen School's tradition – what Crotty (2004, 7-8) subsumes under "labelling" (see Perliger 2012, 527). This in turn permits it to justify its counter-terrorism measures to propel public acceptance or artificially boost performance legitimacy (see Moghadam et al. 2014, 10-13). In my research, I cannot verify to what part a threat narrative is strategic and to what part descriptive. However, the possibility and potential influence of such framing does have to be considered as a confounding factor when considering the threat narrative as an indicator of terrorism's threat to what Beetham calls *general interests*, as proposed at II.5.6.3.

## II.5.9 Co-optation

### II.5.9.1 Co-optation as a resource of authoritarian legitimacy

Co-optation is a type of strategic interaction whereby autocratic leaders buy off different members and groups of subjects to their political rule to avoid destabilisation. As mentioned under selective conciliation for amnesties, under process-based structural counter-terrorism (II.3.4-5) and in my introduction of Beetham's Theory of the Legitimation of Power (II.5.3.5), the authoritarianism and civil war literatures understand co-optation as the or one of the counterpart(s) to coercion in autocratic regime stabilisation.<sup>171</sup> In this subsection, I outline how the concept, despite being alien, fits Beetham's Theory (II.5.9.1). I discuss hypothetical systemic differences between the two types of electoral autocracies (II.5.9.2). Following the logic of Fjelde (2010, 198-204) and Wilson and Piazza (2013, 945-946, 951-953) in the relevance of "state capacity" to counter-terrorism/COIN, I argue that a political system's general need and ability to co-opt potentially defective elites are resources for choosing and implementing certain counter-terrorism measures (II.5.9.3).

Understanding co-optation as a form of stabilisation, the literature on authoritarian co-optation varies as to the location of the strongest destabilising potential in autocracies, in the kinds of incentives given and the institutional framework. There are three grand rifts along which threats to the stability of autocratic rule arise and according to which potential challengers are co-opted (Gandhi and Lust-Okar 2009, 404-405): between the dictator<sup>172</sup> and rival members of the ruling elite,<sup>173</sup> another one between the ruling clique and the opposition (e.g. Bank 2010, 25; Malesky and Schuler 2011, 491), and a third tying or dividing the ruling clique from the population at large (e.g. Reuter and Robertson 2015, 236).<sup>174</sup> Gandhi's (2010, 74-77) approach to rifts and corresponding co-optation is the most comprehensive as she conceives of these rifts as complementary rather than distinct (see Cheibub et al. 2010; Gandhi and Przeworski 2007). In a slightly different vein – because focussed on opposition elites rather than rival fellows from the ruling elite – research by Reuter and Robertson (2015, 236-238, 246-247) shows that distributing rents to opposition elites has a system-wide stabilising effect by indirectly extending to the commitment of members of the public. The approach taken in the WZB Model is also comprehensive as the "three pillars of stability" differ by target group: the population at large (*legitimation*), opposition (*repression*) and elites (*co-optation*), whereby the three are understood as equitable and mutually reinforcing (Gerschewski 2013, 23; 2017, 240).

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<sup>171</sup> (e.g. Aksoy et al. 2012, 812; Fjelde 2010, 196, 201; Gandhi 2010, 76; Lambach and Göbel 2010, 82; Magaloni 2008, 715-716; Wintrobe 2009, 368). Cf. the WZB Model with co-optation as one of three "pillars of stabilization" (Gerschewski 2013, 22; Lueders and Croissant 2014, 332-334; von Soest and Grauvogel 2017, 13-14).

<sup>172</sup> The extant literature almost unanimously conceives of the central locus of power as lying in the hands of one dictator rather than in those of several people (e.g. Boix and Svobik 2013; Gandhi and Przeworski 2007; Magaloni 2008; Svobik 2012, 4-5). Consequently, elite-internal rifts are mostly examined for co-optation, which is less important here because authoritarian governments are understood as group rather than individual actors.

<sup>173</sup> (e.g. Boix and Svobik 2013, 300-301; Cheibub et al. 2010, 84; Magaloni 2008, 715-716, 718-719; Malesky and Schuler 2011, 401; Svobik 2009, 478; 2012, 4-5).

<sup>174</sup> All three rifts are treated in Gandhi (2010, 74-77), Gandhi and Przeworski (2007, 1280, 1293) and Svobik (2009).

The WZB Model does not, however, distinguish between different elites, i.e. those naturally aligned with the government or the opposition.<sup>175</sup> Either way, leaders are confronted with the so-called “dictator’s dilemma”: a certain group of people may want to oust them which they want to avoid by co-optation.<sup>176</sup>

The two main mechanisms of co-optation are the distribution of rents and the granting of policy concessions.<sup>177</sup> Rents and spoils are transferred to specific people whereas the beneficiaries of policy concessions are less clearly delineable groups (Gandhi and Przeworski 2007, 1282; Reuter and Robertson 2015, 236-239; Richter 2010). Their disbursement is a more complex process in which stakeholders have no guarantees of implementation unless institutions host the bargaining process and lend formal guarantees.<sup>178</sup> Under these circumstances, it is common to view authoritarian institutions like legislatures or parties primarily as instruments of stabilisation that make promises of bargaining, power-sharing and rent-sharing agreements over monetary rewards and privileges more credible.<sup>179</sup>

In terms of Beetham’s Theory of the Legitimation of Power, I have already pointed out (II.5.3.5 above) that he himself does neither use the concept nor hint that its logic would apply. Still, co-optation can even in its stability-oriented sense be incorporated into his theory as incentivised commitment that is accessory to a legitimate power relationship much like coercion. Its contribution to legitimacy is to sustain effectiveness, thus supporting the reciprocal relationship between the fulfilment of systemic functions, *general interests* and legitimacy (Beetham 2013, 33-34, 141, 145-146, 168-169) – Schmelzle’s (2011) and Schmelzle and Stollenwerk’s (2018) *virtuous circle* (II.5.3.4-5; II.5.6). Then, the incentivised commitment entails a positive contribution to systemic performance. Yet, co-optation can also be conceived of as incentivising the absence of negative interference, a link which Dukalskis and Gerschewski (2017, 256, 259) provide through their “passivity mechanism” in legitimation strategies, or an effect von Haldenwang (2016, 20-21; 2017, 14) derives from systemic inclusion. Such a negatively conceptualised co-optation has a parallel in Beetham’s “demobilisation of dissent”, characteristic of his *state socialist* type.<sup>180</sup>

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<sup>175</sup> (Gerschewski 2013, 22; 2017, 239; Lueders and Croissant 2014, 334; von Soest and Grauvogel 2017, 13-14).

<sup>176</sup> (Gandhi 2010, xvii-xviii; Magaloni 2008, 717; cf. Magaloni 2008, 720, citing Tullock 1987; Malesky and Schuler 2011, 500-501; Wintrobe 2009, 366-368).

<sup>177</sup> (Aksoy et al. 2012, 812; Bank 2010, 30; Gandhi 2010, 77-78; Gandhi and Przeworski 2007, 1281-1283; Gerschewski 2013, 22-23; 2017, 239; Lueders and Croissant 2014, 334, 338-339; Richter 2010; Wilson and Piazza 2013, 943).

<sup>178</sup> (Gandhi 2010, 77-78, 81, 160-161, 185; Gandhi and Przeworski 2007, 1282-1283; Lueders and Croissant 2014, 334, 338-339, 351-354; Magaloni 2008, 722-723).

<sup>179</sup> (Aksoy et al. 2012, 811-813; Bank 2010, 25-31; Boix and Svolik 2013, 300-303, 306-307, 313-314; Fjelde 2010, 199-203; Gandhi 2010, e.g. 77-82, 166-167, 180-184; Gandhi and Lust-Okar 2009, 405-406; Gandhi and Przeworski 2006; 2007, 1282-1283; Lueders and Croissant 2014, 334, 351-353; Magaloni 2008, 718, 723-724, 738-739; Malesky and Schuler 2011, 498-499; Richter 2010; Svolik 2009, 492-493; Wilson and Piazza 2013, 943-944).

<sup>180</sup> (Beetham 2013, 157, 182-186; Holbig 2011b, 169-170; 2013, 65, 74-75; II.5.3.5 above).



Since both positive and negatively conceptualised co-optation are hard to measure at popular level, I focus on the co-optation of elites. In doing so, I follow the understanding in Fjelde (2010, 198-202), Gerschewski (2013, 22, 28; 2017, 239), Lueders and Croissant (2014, 334) or Reuter and Robertson (2015, 237-238). They see co-optation as tying political, economic and military elites of strategic importance to the ruling elite to prevent them from becoming too strong and challenging them. This is distinct from the co-optation concept used by Gandhi (2010), Gandhi and Przeworski (2007) or Aksoy et al. (2012) who include the population at large as targets of co-optation. Then, the key difference between co-optation and *exclusive responsiveness* (Albrecht and Frankenberger 2010b) is that responsiveness is part of a legitimating process including a neutral or benevolent constituency. By contrast, co-optation regards the instrumental incentivising of compliance of competing/dissenting factions that is only accessory to legitimation.

### **II.5.9.2 Differences in electoral autocracies' institutional co-optive capacities**

The following co-optive capacities are observed as characteristic of multi- or single-party autocratic systems in the literature (here treated as synonymous with WTH's M-PEAs and O-PEAs) and can be combined with properties discussed by Beetham. In M-PEAs, leaders still regulate access to power although an alternation in government is possible. That regulatory function can be used to steer the co-optation process. Those admitted are guaranteed the opportunity to articulate their interests in a protected space with established procedures for bargaining and controlling which information is revealed and flows out; this raises the level of mutual trust between the parties during bargaining and lowers the costs for consecutive rounds.<sup>181</sup> This way, competitive electoral institutions take contestation off the street into parliament, providing regular non-escalatory means of bargaining, keeping dissidents off the edge to forceful protest (Gandhi 2010, 77-82, 181-182; Magaloni 2008, 728; Reuter and Robertson 2015). Cited authors agree that M-PEAs' electoral or consultative institutions thus make rents and concessions more credible and co-optation as a stabilising measure more durable. As Fjelde (2010, 203-204) points out, the potential payoffs associated with defection to the opposition in M-PEAs render elite cohesion weaker than in O-PEAs. Here, there is no comparably promising because organised and institutionally influential entity to defect to because party organisations lower the costs of oppositional collective action and raise the chances of success (203; see Aksoy et al. 2012, 816, 823). As stated at II.5.3.5, Beetham (2013, 157) also considers an M-PEA system in *electoral mode* to not only tolerate but by its very nature require contestation and competition between different people and ideas. Accordingly, high co-optive capacity is necessary and worthwhile in M-PEAs to the extent that it can be seen to define their institutional set-up (Fjelde 2010, 203).

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<sup>181</sup> (Aksoy et al. 2012, 811-813; Boix and Svobik 2013, 301-303, 306-307, 314; Gandhi 2010, 77-81; Gandhi and Przeworski 2007, 1282; Gerschewski 2013, 25).

In O-PEAs, by contrast, there is less space for bargaining with an elite opposition either institutionally or in terms of tolerance of opposition, yet a need to do so is not discussed much in the literature. Instead, the party itself is seen as a credible system of power-sharing among elites whereby controlling access is a privilege and rising into a powerful position carries promises of monetary rewards and influence on policy.<sup>182</sup> In this context, some scholars<sup>183</sup> also point to the importance of the single-party's information-gathering potential by virtue of its co-extensiveness with the system so that its co-optation potential stretches from top-level leadership down to the bottom of its hierarchy.<sup>184</sup> Fjelde (2010, 201) in particular points out the superiority of information in the O-PEA environment and its utility to that avail (see II.5.5.2).<sup>185</sup> Based on Beetham's (2013, 181-182) observation of the streamlining effects of party socialisation and of systematic ideological self-reinforcement through mass mobilisation/demobilisation, little defective potential is expected at elite-level in *state-socialist systems*. Correspondingly and in contrast to an M-PEA, there should be little institutional capacity for co-optation in the O-PEA.

### **II.5.9.3 Co-optation, co-optive resources and counter-terrorism**

I have conceptualised co-optation as the incentivised commitment of elites to not destabilise the system. This aids what Beetham calls *due performance on general interests* and thereby the overall legitimacy of the system. I have also reviewed the role of and necessity for co-optive institutions in the two types of electoral autocracies. On that basis, I suggest that co-optive institutions provide for two differences relating to the conciliatory, structural and coercive counter-terrorism repertoire. More than with responsiveness (II.5.5), that argument is a direct expansion of Fjelde's (2010, 198-204) and Wilson and Piazza's (2013, 945-946, 951-953) arguments concerning institutions' role in defining what they call "state capacity".<sup>186</sup> However, I understand that capacity to not incur its deterministic exploitation in counter-terrorism (II.4.4.2). I also draw a distinction among electoral autocracies and their capacities which Wilson and Piazza do not.

A point that requires prior qualification is that I do not see the ontological status of institutions as fixed. This resonates with Beetham's (2013, 118, 127) understanding of institutions as "solutions to the common legitimation problems" against the normative backdrop of a specific society. Considering that legitimation and norms are dynamic, institutions should be so, too. This is consistent with Gandhi's (2010, chap. 3) treatment of institutions as intentionally created tools of governance (i.e. the dependent variable) and as factors affecting regime duration (i.e.

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<sup>182</sup> (Fjelde 2010, 202-203; Gandhi 2010, 77-78; Gandhi and Przeworski 2007, 1282-1283; Magaloni 2008, 724, 731).

<sup>183</sup> (Cheibub et al. 2010, 86-87; Fjelde 2010, 199-200; Gandhi 2010, 147-148; Gandhi and Przeworski 2007, 1292; Geddes 1999, 134-135; Magaloni 2008, 724).

<sup>184</sup> (see Aksoy et al. 2012, 815-816, citing Robertson 2011, 26; Cheibub et al. 2010, 86-87).

<sup>185</sup> Fjelde (2010, 203-204) also points out O-PEAs' comparably higher efficiency in elite co-optation which is logically at odds with the argument that the system also prevents the emergence of elite defective potential.

<sup>186</sup> Aksoy et al. (2012, 811, 813) make the same point for the rise of terrorism and states' "organizational capacity".

an independent variable; chap. 4-6). It also ties in with Pepinsky's (2013, 631-633, 649-651) broader conclusion from the neoinstitutionalist literature that institutions should be regarded "as epiphenomenal on more fundamental political, social and/or economic relations", i.e. not either endogenous or exogenous to these but both. Thus, it is first necessary to consider the current status and wider development of institutions in the systems under investigation in line with the necessities of system-specific governance. That means verifying to what extent my assumptions regarding co-optive capacity fit the cases over time before answering the questions I develop for SFC here. Secondly, it is thus also possible that where a certain co-optive capacity is absent to begin with it, is created in the course of conciliatory or process-based structural counter-terrorism as a problem-oriented solution rather than exert static influence as an a priori capacity, an option also suggested in Wilson and Piazza (2013, 943-944). Meanwhile, the argument that co-optive institutions do exert some influence on policy, whether because they exist before or because they were created to that end, is coherent with the findings in Gandhi (2010, 109, 160-162, 181-185) concerning the differing policy impact of different electoral institutions or at least their concurrence. Based on the heuristic nature of the study of sources of variation in authoritarian counter-terrorism strategies and the inability to control for other factors, the institutional predispositions regarding co-optation are understood as conditions that may shape policy repertoires and choices available to governments. Whether these conditions are causally relevant, is initially left open.

The general question regarding co-optation is whether *differing general institutional co-optive capacities concur with specific conciliatory (Q13) and "structural" counter-terrorism models (Q10, term from Schneckener 2006)*. The question addresses the actual choice. This assumes that to be chosen a strategy has to be possible, i.e. conditions of capacities have to exist. Yet, this is not in the sense of Wilson and Piazza's (2013) or Fjelde's (2010) relatively deterministic understanding of how that co-optive capacity translates into policy. The ability to choose other options than the ones factually chosen is not examined here. Instead, the expectation is that in an M-PEA, co-optation is institutionalised inside electoral institutions whereas China as an O-PEA and *state-socialist system* by Beetham's standards lacks institutional capacity for elite co-optation for lack of defective potential at that level. Accordingly, the Chinese government is expected to have the ability to prevent the rise of dissidence at the grassroots-level but not the ability to co-opt already potent dissident or terrorist movements through either selective or collective conciliation (II.3.4 above). By contrast, an M-PEA system is generally used to (Beetham 2013, 157) and thus expected to be capable of dealing with organised dissidence and opposition and tolerate alternative centres of power. The government may thus find it easier to co-opt terrorist movements or have them outweighed by co-opting other groups, preventing any one challenger from becoming too powerful. This may include negotiations with entire groups (collective conciliation) or selective conciliation (II.3.3.3 above, e.g. Sederberg

1995, 306-307). It can also include the systematic procedural accommodation of their support constituencies in the political process by process-based structural means (e.g. Wilson and Piazza 2013, 943-944).

#### II.5.10 Summary of hypothetical implications

This section has outlined how, in theory, any given polity and specifically M-PEAs and O-PEAs following WTH's definition, with China also being what Beetham defines as a *state-socialist* type, generates and reproduces legitimacy. Applying his Theory of the Legitimation of Power through five (re)sources of legitimacy, I have argued that terrorism is a threat to the legitimacy of both systems because it challenges what he calls *due performance* on the *general interest* of security. This entails a risk of what Beetham conceptualises as *legitimacy deficit* because the legitimacy of power depends on its exercise in the *general interest* (II.5.3.3-4). That demonstrates that authoritarian counter-terrorism is, in contrast to the Paradigm's presumed absence of autocratic legitimacy facilitating or even causing the use of force (II.4.2), very much directed at maintaining legitimacy. That does not, however, preclude that force is in fact used and is used legitimately (II.5.3.4). This leads to my second argument: the different (re)sources of legitimacy and modes of what Beetham calls *performative consent* characterising the two systems in their standard operating modes come with certain systemic features. I expect these to be assets or constraints in the choice and implementation of counter-terrorism models. At this stage, the (re)sources are understood as potential conditions, up for verification and potential identification of causality in the comparison conducted as an SFC. Table 3 visualises the key relationships to be explored in account for variation in legitimacy-based vulnerability to terrorism and counter-terrorism strategies between the M-PEA and the O-PEA.

For my first key argument, I propose that co-extensiveness of ruling party and system in an O-PEA versus separation and existence of competitive actors in an M-PEA have two effects. First, they should open different pathways for the imposition of *audience costs* (see Conrad et al. 2014; Weeks 2008) and, secondly, with Beetham (2013; II.5.3.4) create different *crisis tendencies* based on governments' differing abilities to distance themselves from *performance failures*. Additionally, in China as a *state-socialist* real type, the presence of ideology as a source of legitimacy is expected to lower the government's tolerance for terrorism further because it challenges the party's doctrinal and organisational authority contained therein (II.5.7.2). Since vulnerability to terrorism is hard to measure, the governmental threat narrative is examined as the closest approximation to threat perception, mindful of two caveats. One, governmental threat perception is closer to systemic vulnerability to legitimacy deficit in the O-PEA system where the party and system are co-extensive and systemic *legitimacy deficit* looms; the government in an M-PEA will speak for itself rather than for the system because legitimacy deficit primarily affects the government, not the system (Beetham 2013, chapter 6). Two, the threat narrative will contain elements of diagnosis as well as strategic framing that

are hard to separate (Crotty 2004, 7-8; Perliger 2012, 527). Its examination should nevertheless demonstrate how terrorism (differently) threatens legitimacy in the two types of systems, contradicting the Paradigm beyond evidence of policy variation itself. This is expected to result in high counter-terrorism commitment.

**Table 3: Key relationships between (re)sources of electoral authoritarian legitimacy ( $x_n$ ), vulnerability to terrorism and counter-terrorism repertoire ( $y_n$ )**

	Vulnerability to terrorism	Coercive counter-terrorism	Conciliatory counter-terrorism	Communi-cative counter-terrorism	“Structural” counter-terrorism
<b>Responsiveness</b>					
Institutional capacity to generate information					
Group of <i>exclusive responsiveness</i> (Albrecht and Frankenberger 2010b)					
<b>Performance legitimacy</b>					
<i>Due performance on general interest</i> (Beetham 2013)					
<b>Ideology</b>					
Presence/absence					
<b>Discursive power</b>					
Strength					
<b>Co-optation</b>					
Institutional capacity to co-opt elites					
<b>Key</b>					
	May create	Characteristic $x_n$ on X may entail a unique capacity $y_n$ on Y	Characteristic $x_n$ on X may create preference for or against specific $y_n$ on Y		

Regarding the origins of variation in electoral autocratic counter-terrorism policies, I propose that the system specific (re)sources of legitimacy create or come with capacities or constraints for choosing and implementing certain counter-terrorism policies, with possible specific preferences.<sup>187</sup> Five of these are of particular interest: Beyond the creation of vulnerabilities, the congruity or separation between state and ruling party is expected to define a government’s ability to generate information and implement any and all of the counter-terrorism models listed (II.5.5.3). The presence of ideology is proposed to shape preferences against what I have followed Sederberg (1995) in conceptualising as *conciliatory* counter-terrorism. That is

<sup>187</sup> Note that in this argument, I follow the logic of Fjelde (2010, 198-204) and Wilson and Piazza (2013, 945-946, 951-953) pertaining to co-optation, yet in a less deterministic fashion than anticipated by these scholars.

because any type of conciliation lends credibility to the argument that the ideology whose unassailability the party relies on is not as infallible as claimed (II.5.7.2). A related expectation exists for the implications of systematic co-optation. Here, I argue that the specific O-PEA under investigation, both by virtue of its single-party nature and as a real type of Beetham's *state-socialist model*, relies on socialisation into the party in prevention of dissidence (Beetham 2013, 181-183) and accordingly lacks the need for elite co-optation. This expectation is consistent with the differing presence of defective and correspondingly co-optive potential observed by Fjelde (2010) and Aksoy et al. (2012; II.5.9.2-3). This means the O-PEA government may not be institutionally capable of ad hoc implementing and thus choosing negotiations with terrorist groups (both collective and selective conciliation). It may also not be capable of granting autonomy rights as a type of process-based (political-institutional) structural means. By contrast, the M-PEA system is expected to generally rely on the co-optation of different political actors, incentivising them to commit themselves to or at least refrain from obstructing systemic effectiveness which, following Beetham (2013) and Schmelzle and Stollenwerk (2018; II.5.3.4-5; II.5.6), stands in a reciprocal relationship with overall legitimacy. Accordingly, I propose that the government in the M-PEA has better institutional options for collectively and/or selectively conciliating terrorist groups just like other types of elites. I also propose this extends to structurally preventing the genesis of terrorism by accommodating the relevant agents' grievances prior to escalation into violence via process-based (political-institutional) means (for both see Fjelde 2010, 198-204; II.5.9.2-3). This is qualitatively different from responsiveness which is in and of itself a source of legitimacy via adjusting policy to comply with the norms and interests of a constituency. Co-optation, by contrast, as the instrumental distribution of rents and privileges, does not aim for an alignment of rule with the norms held by those who are co-opted and is only an accessory to legitimation. Finally, governmental discursive power, operationalised by Jungherr et al.'s (2019) indicators of *political parallelism* and *regulatory environment*, is projected to act as a facilitator for the pursuit of communicative counter-terrorism models (II.5.8.3).

Summarily, these differences in legitimacy (re)sources between a multi-party autocracy and a single-party one corresponding to Beetham's *state-socialist* type should provide for capacities and constraints conducive to variation in counter-terrorism strategies. Note that unless a specific expectation is stated, I understand these (re)sources to act as conditions that capacitate or constrain a theoretical repertoire of models from which the government can choose its real strategy. That choice is explicitly understood to not be as determined by capacities as Wilson and Piazza (2013) or Fjelde (2010) take them to be. Observing that a specific strategy is chosen demonstrates that that was possible whereby the role of the legitimacy (re)sources vis-à-vis that choice is the point under investigation. Yet, those parts of a repertoire that exist but are not chosen cannot be examined in my design.

## II.6 Conclusive questions

The purposes of this theoretical part were to show why autocratic counter-terrorism deserves greater scrutiny and to develop the conceptual tools for an analysis that is both capable of testing the prevailing Paradigm and yielding heuristic insights for cumulative theory-building. To this end, it was necessary to define what *terrorism* shall mean for our purposes and consider its key features as a tactic and a means of communication, the motivation of its perpetrators and how it ends. This is the baseline for understanding what counter-terrorists are up against and what points of attack they may choose in their domestic strategies. Section II.4 discussed the extant literature on the relationship between regime type and counter-terrorism. It showed inter alia its suffering from conceptual problems with the authoritarianism concept (e.g. Wilson and Piazza 2013, 942) and inconclusive findings on democratic counter-terrorism (e.g. Saygili 2019, 471-472) which creates a problematic base for inferring alleged characteristics of authoritarian counter-terrorism. That discussion provided for the identification of legitimacy which democratic governments derive from electoral responsiveness (e.g. Lambach and Göbel 2010, 87-88) as a crucial factor in explaining democratic counter-terrorism variation (II.4.3.5). I apply the idea of legitimacy as a source of counter-terrorism strategic variation to the authoritarian context. To that end I rely on Beetham's Theory of the Legitimation of Power and Wahman et al.'s (2013; 2017) authoritarianism typology. These jointly provide for an account of how two different electoral autocracies institutionalise responsiveness and thereby as well as otherwise maintain the legitimacy of political power. Here, I will not repeat the preceding section's summary of the possible influences of responsiveness, performance legitimacy, ideology, governmental discursive power and co-optation as (re)sources of legitimacy on variation in counter-terrorism. I instead outline how, in what order and to what end these propositions and questions allow an SFC of the two cases, following the method of George ((1979) 2019) and George and Bennett (2005), to meet both my theory-testing and heuristic goals.

For the theory-testing goal, the testable hypothesis gathered from the literature (II.4.2) is that autocratic governments uniformly apply lavish coercion in counter-terrorism because they are not legitimated via ideal democracy-type popular elections and are thus neither responsive to popular opinion nor have to worry about legitimacy (the Paradigm). Problems identified in that hypothesis are the assumptions of uniformity, lack of responsiveness and accompanying general lack of legitimacy in autocracies as well as the determinism inherent in assuming that based on their capacity to use force, they also do. The focus for theory-testing is to show that autocratic counter-terrorism is neither all the same nor solely coercive, two points already identified as prevailing arguments in the literature by Wilson and Piazza (2013, 941). The insights that autocratic systems are heterogenous (II.4.3.3-4 above, e.g. Aksoy et al. 2012, 812, 823) and that their counter-terrorism strategies may, in fact, be conditioned by legitimacy

considerations rather than characterised by lack thereof only become relevant for the heuristic part of my investigation. For the theory-testing component, I use Mill's MOD. The cases are presumed to be homogenous in their non-democraticness ( $x$ ) following the opinion prevailing in the terrorism literature according to Aksoy et al. (2012, 823), Magen (2018, 113) and Wilson and Piazza (2013, 941-942). If variation is encountered in the counter-terrorism strategies ( $y$ ), it shows that any or all three components to the hypothesis are not true. I set the threshold for this "hoop test" (Van Evera 1997, 31-32) relatively high in that I will take the Paradigm to be refuted if and only if one of the cases implements at least one counter-terrorism model other than coercion and if the two cases implement different counter-terrorism models or at least differ qualitatively in the composition of sub-models to that model. A single crucial case would suffice in theory, but setting a double threshold lowers the chances of a false positive based on low conceptual validity despite the caution I applied in selecting concepts and constructing the counter-terrorism models. The guiding question for the theory-testing part following Mill's MOD thus is: *Which of the counter-terrorism (sub)models does the state implement?* Table 4 below disaggregates this into four questions fit to the four types of counter-terrorism models distinguished at II.3 above (Q6, Q7, Q8 and Q10). Two overarching questions are added from my legal project (Korte 2018a; 2018b; 2019b) that ask for the *definition of terrorism* (Q4) and *provisions for counter-terrorism in the countries' respective legal frameworks* (Q5). Q4 eases identification of the different possible coercive approaches discussed at II.3.3. Q5 is a meta-question to my analysis. It is expected to help connect the dots between different strategic components while the law is a valid point of reference for any legitimacy-related research interest in light of an etymological understanding of legitimacy (see II.5.3.1, Dukalskis and Gerschewski 2017, 252).

Based on the demonstration of variation encountered in the first part of my empirical work, my second goal is the heuristic exploration of the origins of that variation within the legitimacy and legitimation-related differences that are projected to exist (and verified first) between the cases. These are based on three different sources of theoretical input processed in section II.5. One are the institutional differences between what Wahman et al. (2013; 2017) define as an O-PEA and an M-PEA. The second are variations in legitimacy and legitimation identified according to what Beetham distinguishes as the *electoral* and *mobilisation modes of consent* and also the fact that China, in my opinion, largely constitutes a real type of his *state-socialist* ideal type. The third type of input stems from applying insights from the larger body of authoritarianism literature. This pertains to responsiveness, performance legitimacy, ideology, discursive power and co-optation, whether discussed as contributing to stability or directly to a more genuine notion of legitimacy in that literature. I have applied these insights to the two types of systems and integrated them with Beetham's theory. I have combined these three types of input to suggest that as (re)sources of legitimacy that are differently present and institutionalised in the



two types of systems, responsiveness, performance legitimacy, ideology, discursive power and co-optation come with different systemic conditions that capacitate or constrain the repertoire of counter-terrorism models which a government can choose from. These have been discussed at length in the previous section, but to point it out once more: unless explicitly stated otherwise, they are understood as conditions that may capacitate or constrain policy choice, yet not necessarily single-handedly nor with any causal power. In that sense, I beg to differ from the inspiring insights of Wilson and Piazza (2013) and Fjelde (2010) who take a more deterministic stance on autocracies' co-optive and coercive policies as defined by "institutional capacities". However, my own qualitative investigation of the chosen policies and circumstantial evidence can only show that the observed variation of  $y_n$  on  $Y$  and sources  $x_n$  on  $X$  concur. Meanwhile, neither are all of the alternative reasons  $x_n$  on  $X$  for any one decision towards a real strategy accounted for, nor will the evidence permit for consideration of the hypothetical alternative strategies  $y$  that were not chosen. Such considerations, albeit and because important to establishing causality, will have to be accounted for in future research. Here, I can only point back to the twin goals of my research and the conscious choice in favour of exploring a multitude of factors as potential conditions. This is warranted by the rudimentary stage research on authoritarian counter-terrorism is currently at.

To guide the heuristic part of the SFC (following George ((1979) 2019 and George and Bennett (2005)), I have devised 16 questions. They connect the five (re)sources of autocratic legitimacy to the counter-terrorism models for which they may be relevant. They are combined in such a way that the case studies have a logical structure. The combination and structure that result from adding these to the question regarding strategic variation is visualised in table 4. By answering these questions for each of the cases, I aim to locate potential sources of variation in authoritarian counter-terrorism within these (re)sources of legitimacy. Thereby, I demonstrate that authoritarian counter-terrorism cannot uniformly be conceived of as operating in a legitimacy vacuum. Instead, it may indeed, like democratic counter-terrorism, be driven by considerations of maintaining the legitimacy of power.

**Table 4: Questions for SFC (following George ((1979) 2019) and George and Bennett (2005)), grouped into case study sections**

Question (source section in Part II)		Relevance: Theory-Testing (TT) or Heuristic (H)
<b>Threat narrative</b>		
Q1	How does the government describe the threat of terrorism to what Beetham (2013) calls the system's <i>general interest</i> ? (II.5.6 and II.5.7)	Vulnerability / performance legitimacy (H); Ideology (H)
Q2	(How) does the governmental narrative justify measures taken? (II.5.6 and II.5.7)	Performance legitimacy (H); Ideology (H)
Q3	(How) is success in counter-terrorism cited/framed as a source of performance legitimacy? (II.5.6, II.5.7, II.5.8)	Performance legitimacy (H); Discursive power (H); Ideology (H)
<b>Legal framework for counter-terrorism</b>		
Q4	How does the legal framework define terrorism?* (II.6)	Variation in strategy (TT)
Q5	What provisions does it make for counter-terrorism?* (II.6)	Variation in strategy (TT)
<b>Counter-terrorism institutions</b>		
Q6	Does the structure of counter-terrorism institutions reflect the relations of what Albrecht and Frankenberger (2010b) refer to as "exclusive responsiveness"? (II.5.5)	<i>Exclusive responsiveness</i> (H)
<b>Coercive counter-terrorism</b>		
Q7	Is there coercive counter-terrorism and, if so, which models are implemented? (II.3.3)	Variation in strategy (TT)
<b>Communicative counter-terrorism</b>		
Q8	Is there communicative counter-terrorism and if so, which models are implemented?** (II.3.6)	Variation in strategy (TT)
Q9	Does high governmental discursive power concur with any or all of the four communicative counter-terrorism models?** (II.5.8)	Discursive power (H);
<b>"Structural counter-terrorism"</b>		
Q10	Is there <i>structural counter-terrorism</i> (term: Schneckener 2006) and, if so, which models are implemented? (II.3.5)	Variation in strategy (TT)
Q11	Do differing general institutional co-optive capacities concur with specific <i>structural counter-terrorism</i> models? (II.5.9)	Co-optation (H)
<b>Conciliatory counter-terrorism</b>		
Q12	Is there conciliatory counter-terrorism and, if so, which models are implemented? (II.3.4)	Variation in strategy (TT)
Q13	Do differing general institutional co-optive capacities concur with (specific) conciliatory counter-terrorism models? (II.5.9)	Co-optation (H)
<b>Other</b>		
Q14	Does the counter-terrorism strategy reflect the policy preferences of the group the leadership is most responsive to? (II.5.5)	<i>Exclusive Responsiveness</i> (H)
Q15	How well does the institutional structure permit the ruling party to generate information? (II.5.5)	Responsiveness (H)
Q16	Does the presence of ideology concur with any particular counter-terrorism policy preferences? (II.5.7)	Ideology (H)
* Q4 and Q5 are taken from my legal research project (Korte 2018a; 2018b; 2019b).		
**Q8 and Q9 are discussed in Korte (2019a).		

## **III RUSSIA**



## III.1 Case introduction

### III.1.1 Introduction

In spring 2000, a few months into his first presidency, Vladimir Putin stated that his “historic mission [...] is to resolve the situation in the North Caucasus” (quoted in Taylor 2007, 3 from Gevorkyan et al. 2000, 133). That mission may not have been completely accomplished, but the development of the Russian strategy at countering the initially ethno-separatist and soon Jihadist terrorism emanating from the North Caucasus is a case in point for an authoritarian government’s capacity to fight counter-terrorism through means far beyond the use of force. This part begins with a description of the historical development of the terrorist threat emanating from Chechnya in the late 1990s and early 2000s and its neighbour republics from the mid-2000s (III.2). It forms the backdrop for analysis which commences with an examination of the Russian threat narrative (III.3). The governmental threat narrative is an indicator of governmental threat perception, a precursor to the breadth of strategy and a baseline for evaluating to what extent the threat of terrorism is one to the government’s ability to perform on what Beetham (2013) identifies as the *general interest* of security. That narrative has developed from depicting Chechen terrorists as a hybrid criminal enemy of the state, justifying the use of military force in Chechnya, to a more comprehensive diagnosis of terrorism as a phenomenon driven by ideology. The change in diagnosis concurs with a gradual scale-down of the use of kinetic force and its development towards more discriminatory, from 2006 accompanied by the deployment of newly created criminal justice tools. Criminal liability has been expanded and predated to facilitate the preventive use of criminal justice in addition to prosecution and punishment *ex post* (III.4 and 6).<sup>188</sup> The growing understanding of the importance of ideology under Medvedev (2008-2012) informed the maturation of communication strategy into a self-standing pillar of counter-terrorism. One part of communicative counter-terrorism today is the legal administrative and institutional framework for controlling access to and content in the online communication space, denying terrorists attention and minimising the spread of ideology. Another part consists of counter-narratives and of improving overall societal resilience to such ideological challenges by strengthening “traditional values” (III.7; see Korte 2019a). Islam has assumed a new role in the course of counter-terrorism with the enlisting of moderate Islamic clergy into communicative counter-terrorism and also in the Kremlin’s surprising tolerance for the Islamisation of several of the North Caucasus republics, combining conciliatory and structural means (III.8). The larger administration of the North Caucasian republics has in and of itself been a tool thereof although never explicitly flagged out as such, for the Kremlin has granted them substantive policy autonomy on many fronts beginning with the policy of Chechenisation in 2002.

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<sup>188</sup> I investigated this development in my comparative legal research project (Korte 2018a; 2018b; 2019b).

As far as my interest in legitimacy is concerned, Putin's statement of his "historic mission" only begins to indicate the inextricable ties between Putin's ascendance to power, legitimacy as a leader, reforms to the political system and North Caucasian Islamo-separatist terrorism. Many aspects of counter-terrorism strategy have in their adoption been driven by considerations of legitimacy. Some of them only stood as choices because of the existing structure of legitimacy (re)sources. Yet, counter-terrorism itself has grandly affected the larger political system's structure. The most important points in this respect include the Chechen counter-terrorist operation (CTO) as the key to rallying the support of important political factions and the public at large for the 2000 presidential elections (III.3, III.5, III.6, e.g. Pain 2005a, 70-73). Equally important developments are the centralisation of power in the hands of the executive (the so-called *Vertikalisation* of power) and the strengthening of Putin's main political constituency, the FSB, among the *siloviki* (the "power ministries"). These changes have happened in the course of various reforms to the counter-terrorism institutional landscape and to the broader Russian political system, many of them in the name of counter-terrorism (III.5, e.g. Baev 2004b). Finally, communicative counter-terrorism has in both its infrastructural and content capacities contributed to the larger leveraging of governmental discursive power (III.7). Based on these observations, it is argued that Russian (authoritarian) counter-terrorism is far from operating in a legitimacy vacuum and closely tied to governmental (re)sources of legitimacy. These have influenced the available counter-terrorism repertoire and, in turn, been influenced by counter-terrorism policy.

### III.1.2 Is the Chechen CTO a case of counter-terrorism?

The relationship between terrorism and insurgency, counter-terrorism and counterinsurgency (COIN) in Russia requires prior clarification. Cohen (2014), Kim and Blank (2013), M. Kramer (2005) or Souleimanov and Aliyev (2016) have studied the Second Chechen War through the COIN prism. The political and military science literatures are aflush with discussions over the conceptual relationship between counter-terrorism and COIN and whether it is possible, necessary or feasible to distinguish between the two – see for example discussions by Boyle (2010), Merari (2007), Exum (2000), Ganor (2010) or Rineheart (2010). It is the conviction of this author that while it is fully legitimate to use the *COIN* paradigm, it is also possible to analyse Russian engagement in the North Caucasus, particularly in Chechnya, as a case of *counter-terrorism*. If a primary criterion for distinguishing terrorism from (insurgent) warfare is the intentional and indiscriminate targeting of civilians (II.2.1, e.g. Ganor 2010), then incidents such as the Budyonnovsk hospital one (1995), the Apartment Bombings (1999), at Dubrovka (2002) and Beslan (2004) are cases of terrorism. Secondly, Russian engagement in Chechnya between 1999 and 2009 ran under the title of "counter-terrorist operation" (CTO) where the Kremlin went through lengths to establish what Campana and Légaré (2011, 51) call "a 'no-war' thesis" (see III.3.2.3). Third, terrorism can and does occur in the context of insurgencies

(II.2.3.2, e.g. Merari 2007; Moghadam et al. 2014). Even though one may isolate acts of terror from broader insurgency, both paradigms may still apply, and none exclusively prevails over the Chechen case (Baev 2004b, 338). Fourth and derivative, a comprehensive approach to counter-terrorism that takes account of all levels and stages of terrorism from causes to consequences thus exhibits many similarities to COIN (e.g. Kilcullen 2009, 12-16; see Korte 2019a). So while it might be of value to distinguish between counter-terrorism and COIN conceptually, empirically and specifically for Chechnya, this is neither possible nor useful (cf. Clarke, C. 2017, 6).

## III.2 North Caucasian ethno-separatist and Jihadist terrorism

### III.2.1 From Chechen separatism to Jihadist terrorism

#### III.2.1.1 *Chechen separatism, the First Chechen War and Budyonovsk (1995)*<sup>189</sup>

The struggle to conquer and integrate the North Caucasus and its diverse autochthonous peoples with the Russian empire reaches back at least to the mid-16<sup>th</sup> century, and one of the last bastions to fall was a small Islamic state in the South of Chechnya and parts of Dagestan, led by Imam Shamil, in 1859.<sup>190</sup> Later, the deportation of some of the North Caucasian peoples under Stalin alienated many and forged a sense of nationhood among them that would later manifest itself at least in the Chechens' quest for secession.<sup>191</sup> When an opportunity to that end presented itself following the August 1991 coup that brought about the fall of the Soviet Union, Dzhokar Dudayev, a former Russian major general, seized it to declare Chechnya first independent within Russia and, in 1993, a sovereign country – the Chechen Republic of Ichkeria (CHRI) (Borshchevskaya 2013, 73-74; Cornell 128-129). After all other attempts at resolving the issue peacefully had failed, Yeltsin sent in the army with the aim of a swift decisive victory in December 1994, but that failed on all fronts, too.<sup>192</sup> Two things about the First Chechen War are significant for my research: the development of Islamo-separatist terrorism in Chechnya in its course and after and the cost of the Russian defeat in its end.

First, the CHRI began as an exclusively secular nationalist movement under Dudayev and Aslan Maskhadov, with Dudayev openly rejecting the role of Islamism in Chechen political life at least until 1994.<sup>193</sup> Wahhabism only entered the Chechen political discourse and the independence movement in 1995 with the so-called “Afghan-Arabs” – Islamists with battlefield experience in Afghanistan and/or Bosnia.<sup>194</sup> Traditionally, Chechens are Hanafi Muslims, their religious practices mixed with Sufism, thus more spiritual than radical and compatible with

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<sup>189</sup> I gave a brief summary of these developments as a baseline for modelling in Korte (2019a).

<sup>190</sup> (Cornell 2012, 125-126, citing Dunlop 1998, 1-40; see ICG 2012a, 6-7; King and Menon 2010, 24-25).

<sup>191</sup> (Borshchevskaya 2013, 72-73; Cornell 2012, 125-127, citing Dunlop 1998, 1-40; King and Menon 2010, 25-26).

<sup>192</sup> (Borshchevskaya 2013, 73-74; Cornell 2012, 128-129; Dunlop 2014, 14; ICG 2012a, 9-10).

<sup>193</sup> (Borshchevskaya 2013, 73; Cornell 2012, 129; Lieven 2000, 155; Souleimanov 2005, 56; Sagramoso 2012, 583-584; Wilhelmsen 2005, 36).

<sup>194</sup> (e.g. Borshchevskaya 2013, 74-75; Kramer, M. 2005, 7; Lieven 2000, 154, 157; Stratfor 2011b; Wilhelmsen 2005, 36-43).

secularism (Borshchevskaya 2013, 71; Wilhelmsen 2005, 42). The thus somewhat counterintuitive though commonly acknowledged development of the “Islamisation of the Chechen separatist movement” (Wilhelmsen 2005) from 1995 is typically explained in recourse to several factors. One is the alienation and quest for revenge triggered by Russian forces’ indiscriminate use of force in the course of the war.<sup>195</sup> Here, Salafi ideology provided consolation and a source of discipline (Lieven 2000, 150, 155-156; Souleimanov 2005, 54-55; Wilhelmsen 2005, 38-40). The initial relationship between Salafists and the secular Chechen leadership is understood to have been driven by the latter pragmatically considering the former’s fighting qualities and the influx of cash they brought (Cornell 2012, 131; Hahn 2012, 16-21; Wilhelmsen 2005, 38-46). A third much-cited factor is Maskhadov’s inability to build a stable and functioning state, disillusioning many about CHRI independence’s prospects for success.<sup>196</sup> Meanwhile, sources caution against conceiving of the Chechen rebel movement as a unified one. Around 1998, it was reported as split into at least two factions: Maskhadov heading the CHRI state on one side and Basayev and Khattab on the other, forming the International Islamist Brigade (IIB) with the goal of splitting Dagestan from the Russian Federation and reuniting it with Chechnya in an Islamist state.<sup>197</sup> Still, by the end of the First Chechen War, the larger rebel scene can be characterised as a hybrid of what Parker and Sitter (2015, 204-211) call *nationalist* and *religious extremist* orientations, with nascent local jihadist components (ICG 2012a, i) or what Juergensmeyer (1996, 4-5) calls “ethnic religious nationalism”.

The second thing about the First Chechen War that is noteworthy for my research is its end, forced by the Budyonnovsk hospital hostage-taking. On 14 June 1995, a group of over 100 rebels led by Basayev took more than 1500 civilian hostages at a hospital at Budyonnovsk, demanding the withdrawal of Russian troops from Chechnya.<sup>198</sup> The Khasavyurt peace agreement signed a year later sealed just that: the withdrawal of Russian troops and de facto self-governance for Chechnya until formal resolution of its status.<sup>199</sup> For the Russian side, the costs of losing the war were tremendous in terms of casualties (50-100,000 civilian and 4,5000 military) and in terms of the military’s reputation.<sup>200</sup> The magnitude of that defeat, cemented into Russian collective memory in the Khasavyurt agreement, explains a certain keenness in

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<sup>195</sup> (Borshchevskaya 2013, 74-75; Cornell 2012, 129-131; ICG 2012a, i; Stratfor 2011a; Wilhelmsen 2005, 40).

<sup>196</sup> (Borshchevskaya 2013, 74-75; Cornell 2012, 131-133; Gakaev 2005, 30-33; ICG 2012a, 11; Kramer, M. 2005, 6-7; Lieven 2000, 150; Wilhelmsen 2005, 46-49).

<sup>197</sup> (e.g. Borshchevskaya 2013, 74-75; Daly 2001a; Fuller, L. 2006b; Galeotti 2004a, 13; JWIT 2015a, 586, 596; Kramer, M. 2005, 7; Lieven 2000, 157; Makarenko 2003, 27).

<sup>198</sup> (CEP 2018, 13; Dolnik and Pilch 2003, 579-580; Gakaev 2005, 29; Pokalova 2011, 80, 97; RAPS I 2018a; 2019b; Stratfor 2011a).

<sup>199</sup> (CEP 2018, 11-13; Dolnik and Pilch 2003, 580; Gakaev 2005, 29; Hodgson 2003, 67; ICG 2012a, 10; Lieven 2000, 146-147; Stratfor 2011a; Wilhelmsen 2005, 36).

<sup>200</sup> (Cornell 2012, 130; Hodgson 2003, 64, 67; ICG 2012a, 10; JWIT 2015a, 597).



Moscow to remedy those physical and reputational losses when an opportunity presented itself in 1999.<sup>201</sup>

### III.2.1.2 *Major attacks perpetrated by Chechen groups between 1999 and 2006*<sup>202</sup>

Beginning with a bomb attack on a shopping mall in Moscow on 31 August 1999, in September major Russian cities were hit by a series of detonations killing 300 civilians and injuring over 2000 in what became known as the Apartment Bombings (CBC 2015; Interfax 1999; JIR 1999b). Although a group calling itself the Dagestan Liberation Army (DLA) claimed the attacks, Russian authorities accused IIB leaders Basayev and Khattab who in turn denied their involvement (JIR 1999b; JWIT 2015a, 586, 597). Earlier that summer, the IIB had launched an armed incursion from Chechnya into Dagestan that together with the Apartment Bombings heralded the beginning of the Chechen CTO with the first air strikes called on 18 September.<sup>203</sup>

During the Chechen CTO, many more attacks were committed by Chechen groups, most of them inside Chechnya, but also in other parts of Russia, several of which involved suicide bombings.<sup>204</sup> Two incidents stand out as particularly costly and significant for the government (Snetkov 2007, 1349-1350): the Dubrovka (October 2002) and Beslan Crises (September 2004). On the evening of 23 October 2002, around 50 members of the Riyad-as-Saliheen (*Gardens of the Righteous*, RAS) took over 800 hostages at the Dubrovka Theatre in Moscow during a show.<sup>205</sup> In a video aired on Al-Jazeera, the RAS once more demanded Russia's withdrawal from Chechnya.<sup>206</sup> The theatre was stormed on the fourth day, after an unknown nerve agent had been injected into its ventilation system; the death toll was over 120 civilians.<sup>207</sup> In terms of its representativeness of the developing terrorist threat, the incident marked both a tactical escalation of the group's operations and brought the conflict from the North Caucasian periphery back to Russia's political centre.<sup>208</sup> Two years later, on 1 September 2004, 32 heavily armed members of the RAS stormed School No. 1 in Beslan, North Ossetia, taking 1,200 hostages, mostly children, voicing similar demands to those made at Dubrovka.<sup>209</sup> Aside from the manifold problems with the security services' response, whose

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<sup>201</sup> (Blank 2000, 25; Cornell 2012, 130; Stratfor 1997; 2011a; Stepashin 2000).

<sup>202</sup> I gave a brief summary of these developments as a baseline for modelling in Korte (2019a).

<sup>203</sup> (Blank 2000, 26-27; Hahn 2012, 17; Hodgson 2003, 67-69; JIR 1999a; 1999b; JWIT 2015a, 586, 597; Russell 2005a, 249-252; Souleimanov 2005, 62-65; Wilhelmsen 2005, 37). John B. Dunlop (2014, chapt. II-IV, especially 51, 57, 63-65, citing Ackerman 2000 and Klebnikov 2000, 300-302), presents evidence for the idea that forces in Moscow were responsible for the IIB's incursion as well as for the Apartment Bombings to provide the reasons for another invasion.

<sup>204</sup> (e.g. Billingsley 2001; Gorka 2004b; JWIT 2017a, 633; Makarenko 2001, 17; RFE/RL 2004). The Russian Analytical Digest (RAD) regularly contains a compilation of conflicted-related events in the region, e.g. RAD (2006c).

<sup>205</sup> (Dolnik and Pilch 2003, 581; JID 2002b; Kramer, M. 2005, 50-51; Moore, C. 2012, 1792-1793; Soldatov and Borogan 2010, chapt. 12).

<sup>206</sup> (Beckman 2007, 102; Dolnik and Pilch 2003, 582, 591-592; Galeotti 2002, 46, 48; JWIT 2015a, 598; Kramer, M. 2005, 50-51; Pokalova 2015, 126).

<sup>207</sup> (e.g. Borogan and Soldatov 2002; Dolnik and Pilch 2003, 585-586, 590; Galeotti 2002, 46; Gorka 2002; JWIT 2015a, 598; Myers 2002; RFE/RL 2004a; Soldatov and Borogan 2010, 159-160).

<sup>208</sup> (Gorka 2002; JWIT 2015a, 588; Kramer, M. 2005, 51; Moore, C. 2012, 1801).

<sup>209</sup> (agentura.ru 2004; Daly 2004; Fuller, L. 2004b; Javeline and Baird 2011, 4; JWIT 2015a, 598; Soldatov and Borogan 2010, chapt. 13).

evaluation yielded amendments to the federal counter-terrorism strategy in the form of Federal Law No. 35-FZ (2006; see III.4.2.3), the event demonstrated the geographic expansion and tactical capabilities of the Chechen commanders.<sup>210</sup>

The two hostage crises show that the terrorist threat to Moscow emanating from the North Caucasus in the early 2000s was a potent one. Tactically, they conform to the characteristics of terrorism as outlined at II.2. Moscow witnessed what is in the terrorism literature referred to as “bottom-up terrorism” (Chaliand and Blin 2007; II.2.1). At least initially, this was embedded within the context of an ongoing military campaign so that it could also be called “insurgent terrorism” (ibid) and had the strategic goal of forcing Russian withdrawal in what is commonly called a “strategy of attrition” (II.2.3.2, e.g. Kydd and Walter 2006). As regards the perpetrators’ ultimate goals, they could at that point still be characterised as a hybrid of what Parker and Sitter (2015, 204-211) label *nationalist* (in their reference to Chechen secessionism) and *religious extremism* orientations, where separate groups with different aims along that spectrum existed alongside one another and the latter was growing in importance (Makarenko 2003, 27-29; Wilhelmsen 2005).

### III.2.2 Developments in the 2000s

#### III.2.2.1 Formation and activities of the Caucasus Emirate (IK)<sup>211</sup>

By mid-2005, Emil Pain (2005c) warned of “the emergence of three fronts (Chechen, Ingush and Dagestani) of armed resistance to the Federal powers”. By mid-2006, observers reported a tilt of the balance from nationalist to Islamist wing inside the Chechen insurgent scene and an increase in conflict-related events in the neighbouring republics of Dagestan, Ingushetia and Kabardino-Balkaria, accompanied by developments in ideology and targeting pattern (e.g. Holland et al. 2017; JTSM 2006a; Stratfor 2006b). Retrospectively, the watershed moment for the ideological as well as organisational transformation of the formerly local and secular Chechen independence project “into a pan-Caucasian, multinational Islamic resistance movement” (Fuller, L. 2009a) is pointed to as the decapitation of the secular CHRI government in exile with the execution of Maskhadov in March 2005:<sup>212</sup> His successor Abdul-Khalim Sadulayev ideologically occupied a radically Islamist stance and left an organisational legacy by creating the “Caucasus Front” whose value was seen in its functioning “as an umbrella structure to unite militant groups and launch operations throughout the North Caucasus” in May 2005 (JTSM 2005, 2).<sup>213</sup> After Sadulayev, too, was killed in June 2006, in October 2007 his successor Umarov declared “the formation of the Caucasus Emirate” (*Imrat Kavkaz, IK*),

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<sup>210</sup> (Gorka 2004a, 2-3; JWIT 2015a, 587-588; Saradzhyan and Abdullaev 2005, 111).

<sup>211</sup> I gave a brief summary of these developments as a baseline for modelling in Korte (2019a).

<sup>212</sup> (Baev 2006b, 3; Fuller, L. 2005a; 2008; Galeotti 2005a; JIR 2009, 10; JTSM 2006a; Kramer, M. 2007, 3; Russell 2009, 192).

<sup>213</sup> (see e.g. Fuller, L. 2006a; 2009a; Galeotti 2005a; 2005c; Henman 2012, 17; JIR 2009, 10; JTSM 2010a, 19; JWIT 2015a, 587; Perovic 2006, 5).

marking the completion of said ideological and organisational transformation.<sup>214</sup> The characteristic of the IK under Umarov, responsible for its relative resilience to the Russian attempts at diminishing its leadership ranks, was its “network structure” of relatively independent jamaats in each republic (Yarlykapov 2007, 6-7).<sup>215</sup> As regards IK’s ideological orientation, views in the literature are controversial. Gordon Hahn (2012, 3-4, 7, 16), for instance, appraises it as by 2012 “precisely the same Salafist theo-ideology as that proselytized by AQ and other groups in the global jihadi revolutionary alliance,” a development he dubs “jihadization”. Youngman (2016, 3) by contrast sees the IK’s factual ideological affinity with AQ or later the IS as a matter of debate. Ratelle and Sokirianskaia (2018, 128-129) also take a counter-position to Hahn, emphasising IK’s local orientation, where others (e.g. JWIT 2015a, 588, 594-595; Pokalova 2015, viii-ix) emphasise the paucity of evidence for transnational links.

After a period with a local anti-state focus between 2006 and 2008 (Pokalova 2015, 164-165), IK began to strike civilian targets following Umarov’s call to attack “throughout the whole territory of Russia” (quoted in JIR 2009, 13; JTSM 2010a, 19).<sup>216</sup> Following Umarov’s reconstitution of the RAS in May 2009, suicide bombings became more frequent.<sup>217</sup> From 2009, Jane’s Intelligence Weekly (JIW, e.g. 2009a; 2010d; 2010e; 2010g; 2010h; see Clements 2011) repeatedly stressed the IK’s growing cohesion, expansion of the tactical repertoire and a shift in operational focus, lent credibility by several attacks. Notable in terms of casualties, location and infrastructural significance of the targets are the November 2009 bombing of the Nevsky Express train, the Moscow Metro Bombings of March 2010 and the Domodedovo Airport Bombing in January 2011, with 25 to 40 dead each, all attributed to or claimed by the RAS as part of the IK.<sup>218</sup> A point raised by Souleimanov (2011, 164-165) is how IK’s attacks inside the North Caucasus region tended to be much less heavy in civilian casualties, targeting politicians, security forces or symbols connected to secular state structures instead (see Galeotti 2009a; Kuchins et al. 2011, 11), but also, in a more orthodox Islamist manner, targeting Sufis or liqueur stores as symbols of moral nuisance (Pokalova 2015, 164-165). The years following IK’s proclamation were characterised by a “changing geography of violence” (O’Loughlin et al. 2011; see JWIT 2015a, 587; Mendelson et al. 2010, 5): Contrary to earlier years, when Chechnya had accounted for most of the violent incidents, data brought by John O’Loughlin, Edward Holland and Frank Witmer show the republic’s share in the total dropped from 90% in 2004 to

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<sup>214</sup> (JWIT 2015a, 587, 595; see Campana and Ratelle 2014, 122; Fuller, L. 2008; JID 2007a; JIR 2009, 11; JIW 2009c; Pokalova 2015, 160-163; 2017, 619; RFE/RL 2006a; Sagramoso 2012; Stratfor 2011a).

<sup>215</sup> (see e.g. Hahn 2011a, 14-17; 2012, 61; Halbach and Isaeva 2015, 18-19; JIR 2009; JTSM 2010a, 20; JWIT 2015a; 2017a; Kuchins et al. 2011, 11; Pokalova 2015, 162-163; Souleimanov 2011, 164-165; Stratfor 2011c).

<sup>216</sup> (see JWIT 2015a, 589, 592; O’Loughlin et al. 2011; RFE/RL 2009e).

<sup>217</sup> (e.g. JIR 2009, 9; JTSM 2009a; JWIT 2015a, 588; Kuchins et al. 2011, 11-12; O’Loughlin et al. 2011, 597, 602; Pokalova 2015, 164-165).

<sup>218</sup> (Clements 2011; Hahn 2011b; JIW 2010f; 2010g; JTSM 2011a; JWIT 2015a, 588, 590-594; O’Loughlin et al. 2011, 597, 602; RAPS 2012; 2019a; RFE/RL 2013b).

50% in 2007 while they counted growing numbers of events in Kabardino-Balkaria, Dagestan and Ingushetia.<sup>219</sup> Their data show several peaks in violence in Ingushetia between mid-2007 and the end of 2009 and high counts in Dagestan between mid-2009 and late 2013 with an exponential rise in 2010.

In the literature on North Caucasian violence, the causes of radicalisation across the other republics (Dagestan, Ingushetia and Kabardino-Balkaria) are consensually seen as a mix of the deflection of the Chechen insurgency, backlash to repressive measures, the increasing use of online propaganda by extremist organisations, socio-economic deprivation, corruption and bad governance across the region.<sup>220</sup> Hahn (2011a, 17-22) cautions particularly against reliance on the second factor since such an account misses the inter-republican differences in terms of ethnic, religious and demographic structures, political disposition and socio-economic development levels.<sup>221</sup> Most of all, only Chechen terrorism has historically been associated with a thrust for secession from Russia whereas in the other republics, the self-standing attractiveness of Islamism is emphasised against the backdrop of a disillusioning general socio-political situation.<sup>222</sup>

### III.2.2.2 Dagestan

Dagestan with its population of roughly three million is the largest of the NCFD republics, rich in fossil fuels and, being a transit corridor to the Caspian Sea, strategically important (Daly 2001a, 6; Hanuliak 2015, 63-64; Sagramoso 2007, 683-684). It is fundamentally different from Chechnya by a number of characteristics. First, while it is also predominantly Shafite Sunni Muslim, unlike ethnically homogenous Chechnya, it is home to over 20 different ethnic groups, the largest being Avars (29%), Dargins (17%), Kumyks (14%) and Lezgins (13%).<sup>223</sup> Also, secessionism was never seen as a feasible option in Dagestan.<sup>224</sup> During the Soviet era and in the 1990s, it was a politically loyal, relatively stable and economically thriving autonomous republic.<sup>225</sup> Centrifugal tendencies inside Dagestani society were balanced through an ethnic proportional representation system appraised as having had a “neutralising effect” (ICG 2008, 2; see Pokalova 2015, 146; Ware and Kisriev 2001). Although the first Wahhabis arrived in Dagestan in 1988 (Ymelianova 1999, 612), according to Hanuliak (2015, 65-68), they were unsuccessful because the radicality of Wahhabism was directly opposed to the spiritual,

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<sup>219</sup> (Holland et al. 2017; O'Loughlin and Witmer 2011; O'Loughlin et al. 2011; see Campana and Ratelle 2014; Henman 2012; Jane's 2008; JIW 2009e; JWIT 2015a; Russell 2009, 192-193).

<sup>220</sup> (e.g. Galeotti 2009a; Gerber and Mendelson 2006; 2009; Hahn 2011a; ICG 2008, 1-10; JIR 2009, 12-13; JIW 2009f; 2010g; JWIT 2015a, 593; King and Menon 2010, 31-33; O'Loughlin et al. 2011; Pokalova 2015, 144; Sagramoso 2007; Souleimanov 2011; 2017; Yarlykapov 2007, 6).

<sup>221</sup> (see e.g. Gerber and Mendelson 2006; 2009; Kuchins et al. 2011, 13; O'Loughlin et al. 2011; Ratelle and Souleimanov 2017).

<sup>222</sup> (ICG 2008, 1; Kuchins et al. 2011, 5-6, 13-14; Pokalova 2015, 18, 21, 155-156, 178; Sagramoso 2007, 684).

<sup>223</sup> (Dzutsati 2010a; Hanuliak 2015, 64-65; ICG 2008, 19-20; Ware et al. 2003, 13-14; Weitz 2010, 9).

<sup>224</sup> (ICG 2008, 1-2; Halbach and Isaeva 2015, 13; Kuchins et al. 2011, 3-4; Pokalova 2015, 155-156; Ware et al. 2003).

<sup>225</sup> (Halbach and Isaeva 2015, 12-14; Hanuliak 2015, 64, 72-73; ICG 2008, 1-6; Magomedov 2009, 10; Ware 2011, 495-496; Weitz 2010, 9-10).

egalitarian and mystical nature of Sufism practiced by most of Dagestan's over 60% Shafiite Sunnis (see Giuliano 2005, 205-210). On the other hand, the prohibition of Wahhabism and persecution of its adherents subsequent to the adoption of Dagestan's Anti-Wahhabism Law in 1999 as well as repression in the counter-terrorism context are cited as reasons for radicalisation in the republic in the 2000s.<sup>226</sup> Facilitating factors for radical ideas to gain traction are identified in line with broader trends in the region: unemployment, economic hardship, corruption, cronyism, political instability and the gradual erosion of traditional social structures.<sup>227</sup> Additionally, Liz Fuller (2005b) and Magomedov (2009) point to the escalation of political and economic competition, Vatchagaev (2007a) mentions intra-religious competition and Souleimanov and Aliyev (2015) as well as Ratelle and Souleimanov (2017) argue that "archaic sociocultural norms" still prevailing in the republic provided a particularly fertile ground for organised retaliation to federal spill-overs of force from Chechnya. The abolition of Dagestan's ethnic cohabitation system in the course of federal reforms in 2006 dealt the already fragile situation a final blow, tipping the hitherto healthy political balance.<sup>228</sup>

Until 2015, according to several Jane's publications<sup>229</sup> the most powerful and largest constituent jamaat of the IK was Jamaat Shariat, which formed in 1999 (ICG 2008, 9) and seems to have replaced its previous affiliate Jennet around 2004 to 2005.<sup>230</sup> By the time it pledged allegiance to IK in 2007, the jamaat was noted for its cohesion and coordination.<sup>231</sup> While it attacked primarily the local security and governance infrastructure with a relatively low degree of sophistication,<sup>232</sup> from 2010 to 2016, the republic was to remain the epicentre of terrorist and insurgent but also counter-terrorist activity in the region (CK 2018a; Holland et al. 2017, 616, 621; JIR 2016a).

### **III.2.2.3 Ingushetia**

The situation in Ingushetia yet again differed from both Chechnya and Dagestan. With 95% of the population ethnic Ingush, the social fabric and mobilisation potential were similar to that of Chechnya, but the republic had enjoyed a considerable degree of political autonomy within the Russian Federation so that the idea of secessionism was never popular (Markedonov 2009, 7-8). If anything, Kuchins et al. (2011, 5-6, 13) point to the salience of ethno-nationalism. President Aushev (1993-2002) had followed an idiosyncratic approach relying on "patriarchal ethnic traditions, clan-based patronage, and force of his own personality" while dealing with

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<sup>226</sup> (Giuliano 2005, 207-210; HRW 2015b, 16-18; ICG 2008, 8; Pokalova 2015, 150-151; RFE/RL 2010b; Sagramoso 2007, 701-703; Sokolov 2016; Souleimanov 2011, 160-161; Vatchagaev 2007a; 2007b; Weitz 2010, 9; Yarlykapov 2007, 9-10).

<sup>227</sup> (Campana and Ratelle 2014; Galeotti 2005b; 2007, 14; Hanuliak 2015, 76; JIW 2009b; O'Loughlin et al. 2011, 603-604; Weitz 2010, 8-9).

<sup>228</sup> (Dzutsati 2009; Halbach and Isaeva 2015, 14; ICG 2008, 3; Pokalova 2015, 146; Sagramoso 2007, 688).

<sup>229</sup> (Galeotti 2013a, 11; 2014, 16; JIR 2009, 12; JWIT 2015a, 590, 593-594).

<sup>230</sup> (Kazumova 2005; Pokalova 2015, 150-151; Vatchagaev 2007a; 2007b; Zhemukhov et al. 2018, 213-214).

<sup>231</sup> (ICG 2008, 9; Vatchagaev 2007a; 2007b; Zhemukhov et al. 2018, 213-214).

<sup>232</sup> (HRW 2015b, 17; JWIT 2015a, 589-590; Pokalova 2015, 151; Vatchagaev 2007b).

Islamists via a mix of conciliation and repression (Evangelista 2004, 2; see O’Loughlin et al. 2011, 605; RFE/RL 2009b). His successor, FSB-General Murat Zyazikov, grossly mismanaged the republican economy and did not fulfil Moscow’s hopes of curbing backlash from terrorist and counter-terrorist violence in neighbouring Chechnya.<sup>233</sup> A first indicator of the deterioration of the situation was the June 2004 attack in Nazran with over 90 fatalities, perpetrated by the Ingush *Sharia Jamaat* (JWIT 2015a, 586, 597-598; O’Loughlin et al. 2011, 605-606; Pokalova 2015, 149). By April 2008, it had reached the degree that Ingushetia was described as “the de facto epicenter of the entire North Caucasus resistance movement” (Vatchagaev 2008b; see JWIT 2015a, 589). According to Smirnov (2008c), the situation there had become so dangerous for federal employees that policemen were being sent home for psychological treatment half-way through their six-month tours, and observers were warning Ingushetia might “become like Iraq’s Anbar province”. Yet between 2011 and 2015, according to data in Holland et al. (2017, 622) and JWIT (2015a, 590), conflict-related events in Ingushetia diminished.

#### **III.2.2.4 Summary of developments in the 2000s<sup>234</sup>**

In continuation of the pattern of “Islamisation of the Chechen separatist movement” which Wilhelmsen (2005) diagnosed for the period leading up to the Chechen CTO (III.2.2), the goals of North Caucasus terrorist actors in Russia “islamised” further in the 2000s. Secessionist tendencies comparable to Chechnya did not play a role in the cases of Chechnya’s neighbour republics where groups such as Jamaat Shariat were Islamist throughout in their ulterior goals (III.2.2.3, e.g. Markedonov 2009, 7-8). Separatism was not the primary motive in Dagestan and Inguhetia. Instead, analysts like Gordon Hahn (2011a; 2012) point to a plethora of common as well as specific factors at the politico-structural level. Organisationally, IK, created in 2007, in its loose horizontal structure accommodated those various goals and motives and also proved to be extraordinarily resilient to decapitation (III.2.2.1, e.g. JWIT 2015a). By the late 2000s and into the 2010s, its members were successfully targeting both the federal political-administrative and security infrastructure and its personnel inside the region and high-casualty civilian targets outside of it, including through suicide bombings (ibid; Korte 2019a).

#### **III.2.3 The development of Jihadist terrorism between 2012 and 2018<sup>235</sup>**

In terms of Jihadist terrorism, the period between 2012 and 2018 is characterised by three interrelated trends: an overall decrease in activity, a reverse trend in Chechnya since 2017 and the transformation of parts of the IK after ideological and organisational reorientation with the Islamic State (IS). After a peak in violence in 2013 the numbers of conflict-related incidents

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<sup>233</sup> (Pain 2005c; HRW 2003b, 9-20; Memorial HRC *n.d.*; O’Loughlin et al. 2011, 605; Peuch 2009, 12; Sagramoso 2007, 700-701; Smirnov 2008b).

<sup>234</sup> Based on the previous subsections, this subsection may contain similarities with Korte (2019a).

<sup>235</sup> I gave a brief summary of these developments as a baseline for modelling in Korte (2019a).

in the NCFD decreased.<sup>236</sup> Even Dagestan entered a period of relative calm in 2017 and 2018 after accounting for the lion's share of incidents until 2016 (CK 2018a; Holland et al. 2017, 621, 624). In contrast to the overall decrease in terrorist and counter-terrorist violence in the NCFD between 2011 and 2018 runs a reverse, increasing trend in numbers of incidents, victims and fatalities for Chechnya since 2015 (CK 2018a; 2019; Hauer 2018). Scholars<sup>237</sup> unanimously attribute that decline to a mix of the outflow of foreign fighters to Syria, Iraq and Ukraine and the counter-measures taken by security forces in the run-up to the Sochi Olympics in 2014, including leadership decapitation and the application of the so-called "doctrine of collective responsibility" (III.6.4). Beginning in 2011, Salafists have travelled from the North Caucasus to Syria and Iraq to support IS and Jabhat al-Nusra (JAN). Estimates of Russian foreign fighters travelling to Syria and Iraq between 2011 and 2016 vary between lower counts of around 2,000 (Souleimanov 2017, 227) to 2,900 (USDOS 2016, 146) and higher counts of around 3,400 to 3,500 (Barrett 2017, 13; Hawkins and Kokcharov 2018, 18; USDOS 2017, 147; 2018, 106).<sup>238</sup> Here, Ratelle and Sokirianskaia (2018, 130-141), Pokalova (2017, 621), MacFarquhar (2015) and the ICG (2016, 29) point to the importance of IS' launching of a propaganda campaign through its Russian language media outlet Furat Media and the propaganda magazine Istok in 2014. Subsequently, most of the IK's *vilayet* leaders swore oaths of allegiance to Abu Bakr-al-Baghdadi, and in June 2015, Vilayat Kavkaz (VK) was accepted as the North Caucasus province of IS, although the homogeneity of the ideological alignment remained a matter of contention.<sup>239</sup> Partly as a result thereof, but also referring to its general cell-like structure, in 2017 Souleimanov (2017, 215) appraised the IK "more of a brand than a hierarchical organization" and its "leadership [...] rather symbolic, with little grasp on the ground".

Operationally, over the 2012 to 2018 period, Russia encountered very few high-profile terrorist attacks by Islamists, at least when compared to earlier periods such as 2002 to 2004 (CEP 2018, 10-13). In early July 2013, Umarov issued threats to the Olympics,<sup>240</sup> which gained credibility in the wake of the Volgograd Bombings in October and December that year.<sup>241</sup> The attacks that took place on public transport on 29 and 30 December 2013 in Volgograd, over 950 km north of Sochi (Stratfor 2014j), were claimed by the Dagestani branch of the IK on 19 January 2014 who also reasserted the threat (JWIT 2015a, 593; Stewart 2014b). Despite their

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<sup>236</sup> (Baev 2018, 12-13; CK 2019; Hawkins and Kokcharov 2018, 18; Holland et al. 2017, 621; JIR 2017a; Souleimanov 2017, 211).

<sup>237</sup> (e.g. Baev 2018, 21-22; Hawkins and Kokcharov 2018, 18; Holland et al. 2017; HRW 2015b, 13; ICG 2016, 1-2; Klimenko and Melvin 2016; Pokalova 2017, 621; Souleimanov 2017).

<sup>238</sup> According to official statistics, in February 2015 around 1,700 Russian citizens were fighting with IS and other groups in Iraq and Syria, up from 200 in June 2013 (Galeotti and Spyer 2015, 10; Paraszczuk 2015b) and 400 in May 2014 (Galeotti 2014). By December 2015, this number had risen to an estimated 2,900 (Melikishvili 2016, 37; Tsvetkova 2016; USDOS 2016, 146), by mid-2016 to 3,400-3,500 (Barrett 2017, 13; Ratelle and Sokirianskaia 2018, 118; USDOS 2017, 147), stable through 2017 (CSIS 2017; Hawkins and Kokcharov 2018, 18; USDOS 2018, 106).

<sup>239</sup> (Dabiq 2015, 36-37; see Fuller 2015d; Halbach 2015, 3; Halbach and Isaeva 2015, 10, 19-21; Hawkins 2015; ICG 2016, 2; JWIT 2015a, 588, 594-595; 2017a, 621; Pokalova 2015, viii-ix; Ratelle and Sokirianskaia 2018, 128-129; Rogstad and Hawkins 2015; Williams and Souza 2018, 4-6; Youngman 2016).

<sup>240</sup> (JTIM 2013a; Khalil 2013, 9; Miller 2014; RFE/RL 2013a; Stewart 2014b).

<sup>241</sup> (Clements 2013; Miller 2014; Moore, C. 2014; Pokalova 2015, vii).

low sophistication and location, they did epitomise the persistence of a looming threat to the event (Stratfor 2014j). Meanwhile, the Games passed without major incidents (Galeotti 2014; JWIT 2015a, 593).

Generally, JWIT's 2017 update on IK (JWIT 2017a, 621) characterises its targeting pattern as "ambush-style small-arms or improvised explosive device (IED) attacks, typically targeting security forces" both in- and outside of the North Caucasus. However, it has become increasingly quiet in terms of actual attacks committed in Russia both by Islamists and others (Holland et al. 2017). Meanwhile, the IS has openly threatened Russia several times, for instance, in videos in September 2014 and November 2015 (Abdelaziz and Felton 2015; RT 2014a). On 31 October 2015, 219 Russian citizens died when Russian Metrojet flight 9268 exploded over the Sinai peninsula in an attack claimed by an IS branch.<sup>242</sup> On 3 April 2017, a bomb attack on the St Petersburg metro killed 15.<sup>243</sup> IS claimed attacks in Chechnya and Dagestan at least in February, March, August and November 2018 (JIR 2018; RFE/RL 2018a). As with the Sochi Olympics in February 2014, the run-up to the FIFA Football World Cup in June and July 2018 saw a number of threats released by IK and VK on social media (Hawkins and Kokcharov 2018; JIR 2018; Williams and Souza 2018, 5-8), yet the event once more went through without major incidents. The only officially recognised terrorist attack in 2018 was carried out by a self-proclaimed Anarcho-Communist in Arkhangelsk (Northern Russia), but an IS-affiliate has claimed the December 31 explosion of an apartment building in Magnitogorsk (Chelyabinsk Oblast) which killed 39 (Arnold 2019; Gutterman 2019; Moscow Times 2019).

#### III.2.4 Summary of the North Caucasian terrorist threat to Russia<sup>244</sup>

This section has explored the origins, motives and patterns of the terrorist threat to Russia that has emanated from the North Caucasus since the mid-1990s to give an impression of what Moscow as a counter-terrorist has been up against. Having had its roots in Chechens' quest for secession in the First Chechen War, Chechen terrorism in the shape of the 1999 Apartment Bombings or the hostage-takings at Dubrovka (2002) and Beslan (2004) can be characterised as perpetrated with what Parker and Sitter (2015) label *nationalist* (in their reference to Chechen secessionism) and *religious extremism* orientations, although the Islamist component had already become stronger during and after the First Chechen War (III.2.1.1, e.g. Wilhelmsen 2005). These and other incidents clearly fall within the realm of my definition of terrorism at II.2.1 above. By the mid-2000s, terrorism and insurgency spread from Chechnya to Dagestan and Ingushetia, where secessionism has been less of an ulterior goal than jihadism (III.2.2, e.g. Sagramoso 2007, 684). Meanwhile, the differences between the republics and intricacies of what observers point to as structural causes of radicalisation seem to invite

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<sup>242</sup> (CEP 2018, 5, 10, 11; Khail 2016, 19; USDOS 2016, 143; Williams and Souza 2018, 2).

<sup>243</sup> (Kupfer 2017; RAPS 2019c; Stratfor 2017c; 2017d; USDOS 2018, 106; Williams and Souza 2018, 3).

<sup>244</sup> Based on the entire section, this subsection may contain similarities with Korte (2019a).



a differentiated approach to counter-terrorism specifically involving condition-centric measures of prevention (II.3.5).

The formation of IK in October 2007 was a benchmark of ideological and organisational change from Chechen ethno-separatism into Islamism if not Jihadism (e.g. Hahn 2012). It united jamaats across the entire region and heralded a period of intensified attacks on civilian targets across Russia between 2008 and 2012 (Holland et al. 2017, 622), including through suicide bombings (III.2.2.1, e.g. Kuchins et al. 2011, 12). Organisationally, the proclamation signified networkisation (Yarlykapov 2007, 6-7), a characteristic to which the IK's and its member jamaats' resilience to decapitation is attributed (III.2.2.1, e.g. JWIT 2015a). However, since 2013, it has become relatively quiet in the region (III.2.3, e.g. CK 2019) with few less sophisticated attacks against security forces in the region through 2018 as well as some on civilian targets outside of it. As physical terrorist incidents have been getting rarer, Ratelle and Sokirianskaia (2018) find what they dub "IS Russophone propaganda machine" (131) to have made a true difference in Russia, paired with North Caucasian terrorists' own tendency to mediatise their activities. This illustrates how the communicative dimension of terrorism forms an integral part of the threat both in addition to and separate from the kinetic one.

### III.3 The threat narrative

#### III.3.1 Overview

This section traces the development of the Russian threat narrative on Islamist terrorism emanating from the North Caucasus through statements of the presidential administration, authorities and legal documents. It understands that narrative to have two components: a diagnostic one that illustrates authorities' threat understanding and precipitates certain types of strategic responses rather than others and an intentionally crafted strategic one.<sup>245</sup> Since the two are hard to distinguish, contextual evidence is cited to illustrate the utility of a narrative or of certain aspects in the light of specific circumstances that may at least be understood as beneficial consequences if not strategic goals.<sup>246</sup> The systematic and known to be intentional deployment of narrative as a tool of communicative counter-terrorism is dealt with at III.7 below.

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<sup>245</sup> (Campana 2013, 462; 2014, 251-252, 254; see Crotty 2004, 7-8; Perliger 2012, 527).

<sup>246</sup> A note on sources: This section examines the understanding of terrorism based on statements by the Russian president, the Kremlin or important politicians, definitions in the two central legal documents on counter-terrorism ("130-FZ" 1998 and "35-FZ" 2006) and strategic papers. Particularly the first two types of sources are of a very different character. The threat narrative constructed in political statements reflects the institutional stance of the Kremlin and the personal views of the speaker. It is descriptive, certainly intended to influence public opinion and normative in as much as the Russian president is an influential figure in policy-making and can issue decrees with the force of law. In contrast, legislation passed by the State Duma, in its descriptive function, contains a consensus on the meaning of a term shared by a broader group of people that represent different interest groups, so it is bound to be less emotionally engaging than political statements (Korte 2019a). Although the law has to define offences in terms of objectively observable implications evidence of which can be brought to courts, the two laws examined here are also the strategic baseline for implementation of counter-terrorism. In practice, counter-terrorism is conditioned by both understandings.

The goal of examining the threat narrative is to understand whether and how the government understands terrorism as a threat to its legitimacy with a particular focus on the threat to its performance on what Beetham (2013) defines as a generic *general interest of security* (II.5.6). In as much as the threat narrative has always included references to the preservation of Russia's territorial integrity, this is clearly the case, but over time, there have been other aspects to the threat framing than the narrowly physical one. The development of the Russian threat narrative has been from portraying terrorism as an externally rooted physical threat to Russia's sovereignty towards first, around 2006, a multi-faceted phenomenon that is partially rooted in systemic problems and later, after 2009 and yet more since 2014, into focusing on extremist ideology. Aside from performance on the *general interest of security*, this also points towards the perception of Russia as a community of so-called "traditional values", following a change in the Kremlin's legitimation strategy around 2012 (III.3.4.1, e.g. Robinson 2018, 97-98). My analysis shows how that community has been portrayed as under threat from terrorism and extremism and that the preservation of its integrity has become another *general interest* preserved in the course of counter-terrorism, only this time through communicative rather than operational-tactical engagement. Throughout, different framings of terrorism have been strategically useful in justifying particular counter-measures and framing success in counter-terrorism as a source of performance legitimacy as proposed at II.5.6/5.8.

### **III.3.2 Putin's first two presidential terms (1999-2008)**

#### **III.3.2.1 Overview**

The threat narrative at the onset of the Chechen CTO was characterised by the depiction of Chechen terrorism as an existential threat to Russia's sovereignty based on which retrieving Chechnya with military force could be justified as a necessary and appropriate way of performing on what Beetham (2013) calls the *general interest of security* towards preserving governmental legitimacy. Beyond that, international components to the threat allowed for the externalisation of blame and for portrayal of the Chechen CTO as a contribution to international counter-terrorism. This permitted additional claims to performance legitimacy for representing Russian national interest in the international arena to be made. The details of the threat narrative in 2000 are also connected to Putin's successful candidacy for presidency and to successive reforms to the federal institutional structure (III.5 below, e.g. Baev 2004b). Yet, not a lot changed in the federal threat narrative thereafter nor in the context of the Beslan siege (2004).

#### **III.3.2.2 Definitions in Federal Law No. 130-FZ (1998)<sup>247</sup>**

One of the outcomes of the hostage-taking at Budyonnovsk was the development of a legal framework for counter-terrorism. "On the Fight Against Terrorism" ("130-FZ" 1998) was the first

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<sup>247</sup> This subsection is based on my comparative legal research project (Korte 2018a; 2018b; 2019b).

document outside of the Russian criminal code (UK RF; III.4 below) to define the term *terrorism* in the domestic political context. It indicates an understanding of terrorism as a problem and served as foundation for the construction of counter-terrorism strategy. It defines terrorism as

violence or the threat of violence against individuals or organizations, and also the destruction (damaging) of or threat to destroy (damage) property and other material objects, such as threaten to cause loss of life, significant damage to property, or other socially dangerous consequences and are implemented with a view to violating public security, intimidating the population, or influencing the adoption of decisions advantageous to terrorists by organs of power, or satisfying their unlawful material and (or) other interests. (“130-FZ“ 1998, Art. 3)

This definition is very technical in characterising the phenomenon without diagnosing its causes or genesis. While it recognises that terrorism is not just about the violence itself, it does not single out the terrorising aspect of violence or its threat and the instrumentality of fear towards the attainment of ulterior goals as characteristics of terrorism pointed out at II.2 above. Thus, it does not understand terrorism to necessarily be political, only for it to be instrumental to the attainment of some sort of higher goals. This diagnosis of terrorism as a physical, objectively observable, activity rather than political goal-oriented tactic predicts the initial characteristics of Russian counter-terrorism strategy during the period examined: coercive pre-emption and pursuit rather than soft-policy prevention (Logvinov 2012, 137).

### **III.3.2.3 *The terrorism threat narrative at the onset of the Chechen CTO***

The following excerpt of an interview Putin gave to BBC’s “Breakfast with Frost” in 2000 illustrates the dominant elements in the governmental threat narrative at the onset of the Chechen CTO. These are the terrorists’ intrusion into Russia’s territorial integrity, the homogenisation and delegitimation of the “Chechen terrorists” and frequent reference to outside interference, summarily permitting for the citation of a right and duty to liberate and protect Chechnya:<sup>248</sup>

The Chechen people have fallen victim to international extremism [...] extremist forces began reclaiming this territory, as it were. Arms were supplied to them from outside the country, money began to flow, mercenaries began to arrive. [...] There are terrorists who kidnap innocent people – by the hundreds – and keep them in cellars, torture and execute them – and I stress, we are talking about perfectly innocent people, so it’s not for political reasons, it’s for purely criminal commercial gain. [...] We are liberating the people of Chechnya from this scourge and in doing so we proceed from the fact that we are obliged to do that in the name of the Chechen people and other peoples of the Russian Federation. (Putin 2000a)

Chechen terrorism was cast as an existential “threat to Russia’s sovereignty and territorial integrity” – a theme related to Chechen separatism that was far from new (Blank 2000, 26-27, quoting an unnamed defence commentator), and also not that surprising considering the

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<sup>248</sup> (e.g. Campana 2014, 253-254; Campana and Légaré 2011; Hodgson 2003, 77; Miakinkov 2011, 666-667; Pain 2000, 64-66; Russell 2002, 76-78; 2005b, 106-111; Snetkov 2007, 2012; Ucko 2015, 11).

potential cascade of further ethnic separatisms in other republics (e.g. Hughes 2001, 26; Russell 2008, 663). Based on that, Putin could express the promise to “wast[e] terrorists in the outhouse”, the electoral slogan that ultimately won him the presidency in spring 2000 (RT 2011b).<sup>249</sup> What this portrait of the terrorist threat lacked in precision, it made up for with delegitimizing, escalatory language towards discrediting any legitimate political objectives the separatist leaders may have had.<sup>250</sup> This refusal to acknowledge the political character allowed for appropriation of “a ‘no-war’ thesis”.<sup>251</sup> It also justified minimal constraints on state conduct (Miakinkov 2011, 666-667; Russell 2002, 76) and paved the way for implementing both an *armed conflict approach* in Crelinsten’s sense and what Pedahzur and Ranstorp (2001; II.3.3) model as the *expanded criminal justice approach* (Burger and Cheloukhine 2013, 3; III.4./III.6.2).

Although Putin did not singularly pick out the Islamic component to Chechen terrorism in the particular excerpt cited, the general frame blurred any analytical differences one might draw and homogenously identified the entire ethno-separatist and Islamist scene in its various facets as legitimate targets of counter-terrorism.<sup>252</sup> Only in June 2002 Putin began to backpedal on his earlier rhetoric, adopting a more discriminate and explicitly positive exculpatory portrayal of the Chechen civilian population.<sup>253</sup> Yet, for instance, Baev (2006b), Blank (2000, 27), Feifer (2002), Dunlop (2014, 80-81), Pain (2005a, 71-74) and Shoumikhin (2004) all point out how the first and more indiscriminate version of the narrative was instrumental in rallying public opinion around the national flag in the wake of the election, spoke to the old trauma of defeat and thus caught the support of both the public and the general staff for the CTO. Meanwhile, portrayal of terrorism as a threat to territorial integrity in both Putin’s narrative and the National Security Concept of 2000 (“NSC” 2000) clearly cast the Chechen CTO as a necessity (Blank 2000; 2012, 18-19; Pokalova 2011, 120-121, 126-131) – in Beetham’s (2013) legitimacy concept, one for the government to perform on the *general interest of security*.<sup>254</sup> Strikingly, the Kremlin still accommodated in that narrative the claim that it was “liberating” the Chechen people, facilitated by reference to the criminal character of the resistance and alleged outside interference.<sup>255</sup> That was facilitated by the declaration of Wahhabism as foreign (e.g. Blank 2000, 26; Daly 2001a; JID 2000), whereby Osama bin Laden (OBL) featured prominently in that narrative many times before his name gained international prominence in 2001 – before,

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<sup>249</sup> (see Baev 2006b, 2; Borshchevskaya 2013, 76; Pain 2005a, 71-72; Russell 2002, 81-82; 2005b, 107-110).

<sup>250</sup> (Burger and Cheloukhine 2013, 32; Campana and Légaré 2011, 48, 51-53; Russell 2002; 2005b).

<sup>251</sup> (Campana and Légaré 2011, 51; see e.g. Burger and Cheloukhine 2013, 27; Russell 2005a, 239-240; Snetkov 2012, 526).

<sup>252</sup> (Burger and Cheloukhine 2013, 32; Daly 2001a, 5; Logvinov 2012, 167-173; Snetkov 2007, 1353-1354; 2012, 525-526).

<sup>253</sup> (Campana 2013, 465; Hill, F. 2002; RFE/RL 2002; Russell 2005b, 111).

<sup>254</sup> An “existential interest” as I briefly argue in Korte (2018a).

<sup>255</sup> (Campana and Légaré 2011, 51-54; Pain 2000, 66-67; Pokalova 2011, 126-131, 149-153; Putin 2000a; Snetkov 2012, 525-528).

in the context of and after the Apartment Bombings in September 1999.<sup>256</sup> In May and June 2001, the Russian government again repeatedly accused several foreign Islamic organisations of aiding Chechen terrorists (O’Hayon and Roule 2001; Stepanova 2002, 47).

Next to legitimating the use of force, the allegations of foreign Islamists’ involvement had the effects of denying domestic responsibility and garnering international acceptance of the CTO; this in turn domestically permitted the government to build performance legitimacy based on responsible representation of federal interests and as a resurrecting world power.<sup>257</sup> In that vein, Russian support for the US-led international anti-terrorism campaign from autumn 2001<sup>258</sup> marks less of a 9/11 effect than a continuation of established policy, yet one that seemed like a 9/11 effect because 9/11 propelled terrorism and military counter-terrorism to the top of the global security agenda, creating a window of opportunity for Russian leaders to be heard.<sup>259</sup> By joining and repeatedly reinforcing Russia’s commitment to international cooperation with contributions to the US-led GWOT, military operations in Chechnya began to slipstream the GWOT in terms of the acceptability of the use of force: Western leaders’ gradual acceptance of the Russian narrative on the Chechen terrorist threat, despite occasional criticism of its means, marked an eventual success in terms of external legitimation.<sup>260</sup> In the same vein, Putin used counter-terrorism cooperation to recommence diplomatic contacts with NATO and the EU.<sup>261</sup>

#### **III.3.2.4 *The threat narrative during and after the Beslan crisis (2004)***

A second benchmark for governmental threat perception is the narrative during and after the Beslan Crisis in 2004. Putin’s initial narrative was very similar to his rhetoric in 1999-2000. Putin (2004a) continued to use the criminal motive in referring to “bandits” while he particularly disregarded any of their declared intents by claiming they only “hide behind political, religious, and nationalistic slogans” and were “unfit for talks”.<sup>262</sup> Caucasophobic elements and such that deflected responsibility to outsiders, again referring to Al-Qaeda and OBL, remained part of the narrative, upholding the international anti-terrorist character of the Chechen CTO and thus rendering somewhat more acceptable the use of force within it, before, through and after

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<sup>256</sup> (e.g. Akhmedkhanov 2004, 22-23; Daly 2001b; Fuller, L. 2004a; Golts 2001; Herd 2000, 76; JFR 2000, 3-4; JIR 1999c; JID 1998; 1999b; JTSM 2002; Russell 2005b, 109; 2005a, 257, 262-263; 2009, 185-186; Stepanova 2002, 47).

<sup>257</sup> (Cohen 2002, 564; Feifer 2002; Simons 2006, 585-588; von Soest and Grauvogel 2015, 12; Snetkov 2007, 2012).

<sup>258</sup> (e.g. Antonenko 2001, 50-57; Buckley, M. 2003, 197; Cohen 2002, 564; Duncan 2013, 130-131; Feifer 2002; Hill, F. 2002; Kremlin 2001).

<sup>259</sup> (e.g. Baev 2006b, 11; Duncan 2013, 130-131; Gorka 2002; JID 2001a; 2001b; Logvinov 2012, 165; Pokalova 2011, 170-171; 2015, 122-125; Russell 2005a, 242-244, 254; Simons 2006, 579-580).

<sup>260</sup> (e.g. Burger and Cheloukhine 2013, 40; Cohen 2002, 564; Feifer 2002; Gorka 2004a, 2; JID 2004a; Makarenko 2003, 29; Oldberg 2006, 27-32; Pokalova 2011, 165-169; 2015, 121-125; Potter, R. 2013; Russell 2005b, 111-112; 2005a, 239-240; Simons 2006, 586-587; Snetkov 2012, 525-530).

<sup>261</sup> (Buckley, M. 2003, 197-199; Feifer 2002; Hodgson 2003, 78; Snetkov 2012, 528-530).

<sup>262</sup> (quoted in Kimmage 2004 from Vesti, and Putin quoted in Simons 2006, 587 from RBC News, 16 September 2004; see Simons 2006, 584, 590; Galeotti 2004a, 15; Snetkov 2007, 1360).

Beslan.<sup>263</sup> The magnitude of the threat and the armed conflict theme were somewhat more pronounced as he described perpetrators' aims as relevant to territorial integrity – “the disintegration of the country, the break-up of the state and the collapse of Russia” (Putin 2004b) – and the larger situation as “a total, cruel and full-scale war that again and again is taking the lives of our fellow citizens” (Putin 2004a; see Baev 2006a, 1; Snetkov 2007, 1362). As a precipitate, the *armed conflict* (Crelinsten) and *expanded criminal justice* (Pedahzur and Ranstorp 2001) paradigms continued to be applied simultaneously (Burger and Cheloukhine 2013, 3). Snetkov's (2007) analysis of the development of the Russian threat narrative from Dubrovka through Beslan and beyond also shows that the narrative became less discriminate over that period rather than more, diffusing from a Chechen-centric threat image into a blurrier version. Following her analysis, it combined Islamism, the North Caucasus and transnational actors (1350, 1355-1356), consistently with – or, as she also argues, strategically spoken to support (1356-1357) – the policy of Chechenisation which had begun in 2002, i.e. turning Chechnya back into a local rather than federal governance problem (III.6.2.2; II.8.2.1). Beslan was thus not a game-changer for force withdrawal. Instead, part of the solution presented by the Kremlin immediately after the crisis was to reform the security structure (Putin 2004a). Yet, it was not until March 2006 that Federal Law No. 35-FZ was finally passed (Guiora 2005, 158). Immediate measures after the incident were of a more indirect nature in their relation to terrorism. First, the executive power structure was strengthened in the name of “national unity” in the administrative sphere, following the argument “that the unity of the country is the main condition for conquering terrorism” and that “the most important factor in strengthening the state is a unified system of executive power in the country” (Putin 2004b; see Coalson 2004). That quest for unity was, though consistent with the earlier deployment of rhetoric to foster rally 'round the flag effects (e.g. Baev 2006b, 2), highly instrumental in justifying other reforms to the counter-terrorism institutional structure and to Russia's general institutional structures (III.5.2-3, e.g. Lemaître 2006).

Secondly, Putin brought up a new, comprehensive diagnosis of terrorism as a phenomenon. This laid the foundations for at least a rhetorical commitment to revise the overall North Caucasus Strategy even though retrospectively it remained a statement of intention:

The Northern Caucasus [...] is simultaneously a victim of terror, and a base for terror. It is here that ideologists of international terrorism [...] openly and brazenly exploit our shortcomings in socio-economic policies. [...] [T]he roots of terror also lie in the mass unemployment that remains in the region, in the lack of effective social policies, in the low level of education of the young generation, or even the lack of opportunity to receive education. This all provides rich soil for extremist propaganda, for a growth in terror bases, and for recruiting new followers. (Putin 2004b)

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<sup>263</sup> (e.g. Daly 2004, 2-3; Gorka 2004c, 10; Oldberg 2006, 8; Ország-Land 2004; Putin 2004b; Simons 2006, 587-589; Yasmann 2004).

This novel diagnosis bears similarity to arguments advanced by Crelinsten (2014, 9), Horgan (2005, 45) and Schmid (2013, 26) concerning the exploitability of factors of deprivation by radical ideologues (II.2.4.1 above). However, while, for instance, Campana (2013, 463) identifies this diagnosis as the beginning of a desecuritising development and turn to a structurally preventive approach in the governmental threat narrative, it did not precipitate any corresponding condition-centric measures.

### **III.3.2.5 *The not so new definitional framework of Federal Law No. 35-FZ (2006)***<sup>264</sup>

When after one and a half years of intensive debate in the State Duma, Federal Law No. 35-FZ was finally passed in March 2006, its understanding of terrorism was remarkably different from No. 130-FZ (1998). Art. 3 defined terrorism as:

the ideology of violence and the practice of influencing the adoption of a decision by state power bodies, local self-government bodies or international organisations connected with frightening the population and (or) other forms of unlawful violent actions.

This definition insinuates an evolution in the understanding of terrorism since it recognises two non-physical elements as constitutive of the phenomenon: an ideological or teleological framework and the element of terror. It newly regards the ideological component as essential to terrorism as opposed to the earlier focus on observable activities although 35-FZ does not specify the *ideology of violence*. Regarding prevention, 35-FZ was the legal framework for all types of counter-terrorism including but not limited to law enforcement and the armed forces. Yet it did not pay tribute to the comprehensive diagnosis of the causes of terrorism undertaken by Putin in Beslan's aftermath or the implications of recognising the ideological component. Instead, counter-terrorism still focused on the physically observable implications of terrorism, including enhancing detection, law enforcement, operational and mitigation capacities (Logvinov 2012, 137, 413, 433).

### **III.3.2.6 *Interim conclusions (1999- 2008)***

At the onset of the Chechen CTO, the threat narrative was crafted in an over-simplistic, homogenising, delegitimising and "demonising" manner (Russell 2005b; Snetkov 2007) that went to justify a forceful military reaction to the Apartment Bombings as the only sensible option in the eyes of the public (III.3.2.3, e.g. Campana 2014, 252-256). While there were certain changes within that narrative during the war and, as Snetkov (2007) illustrates, in the aftermath of Beslan, the larger observation is that on the one hand, this exposes how terrorism is indeed a threat to governmental legitimacy through violation of what Beetham (2013) refers to as the *general interest of security*, here in the sense of territorial integrity. That way, countering terrorism by way of requisitioning Chechnya became a necessary function of upholding legitimacy (Korte 2018a). Meanwhile, that framing also permitted for reclaiming operational

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<sup>264</sup> This subsection is based on my comparative legal research project (Korte 2018a; 2018b;2019b).

successes in counter-terrorism as a source of *performance legitimacy*. The narrative also had a range of secondary effects. The narrative and subsequent CTO allowed Putin to rally public opinion around the flag for the presidential elections while co-opting the military establishment with a renewed intervention (III.3.2.3, e.g. Baev 2006b, 2; III.6.2). The international component to the threat narrative deflected responsibility to the external sphere. It also cultivated a favourable view towards Russia's coercive demeanour in Chechnya and of Russia as an experienced and reliable counter-terrorism partner among the international audience (III.3.2.3, e.g. Snetkov 2012, 528). This prospectively aided performance legitimacy via external representation in excess of the domestic performance legitimacy hypothesised at II.5.6. Meanwhile, the two legal definitions of terrorism presented provided a larger flanking framework for the development of that understanding and its framing as well as for the pursuit of a predominantly kinetic but there also mixed response.

### **III.3.3 Medvedev's presidency (2008-2012)**

#### **III.3.3.1 *The tandem: continuity from Putin to Medvedev***

When Dmitri Medvedev was elected into presidential office on 2 March 2008, this change at the top did not immediately incur any major revisions of counter-terrorism policy. This is consistent with the broader continuity in Russian politics through the handover of power inside the Putin-Medvedev "tandem". Putin had institutionally prepared the handover by taking a number of decision-making functions with him, and path-breaking political decisions in the economic, domestic and foreign policy sectors had been made.<sup>265</sup> The fact that Medvedev initiated economic modernisation had been foreseeable, given Putin had presented that as part of the reasons for his choice as a successor even though the direction of modernisation led to some disarray in the tandem (Mommsen 2017, 84-86; Robinson 2018, 92-96). Concerning counter-terrorism, as with other policies, the two retrospectively emerged as team although Medvedev's rhetoric has been much less inflammatory than Putin's (Monaghan 2011, 6). However, as Mommsen (2017, 86-88), Gudkov (2011, 16-17) and Monaghan (2011, 11-13) also caution, the unique focus of attention on Putin's persona misconceives of him as the single guiding hand in Russian politics and neglects the informal networks in the background that have kept and still keep the presidency in check so that there was not a lot of policy change to be expected.

#### **III.3.3.2 *Securitisation of terrorism vs. normalisation in the North Caucasus***

By the time Medvedev took office, Russia had overcome the lowest points of her post-totalitarian identity crisis, in part thanks to economic growth. Moscow began to look outside and eyed with caution what was perceived as an expansionist export of Western values, for example, in the Colour Revolutions in Georgia and Kyrgyzstan (e.g. Robinson 2018, 228-232;

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<sup>265</sup> (e.g. Mommsen 2017, 86-90; 2018b; Monaghan 2011; Petrov 2011a, 61-65).



Snetkov 2012, 534-538). In this context, Snetkov (2012; 2017) and Campana (2013) argue that North Caucasian terrorism became de-securitized on the Russian security agenda. Looking at Medvedev's statements on the subject as well as security strategy during his presidency, I cannot share that view. Rather, the official narrative simultaneously told two different stories with two different objectives: one of a persistently high and international threat, reiterated each time an attack occurred, and one of normalisation in the region, substantiated by the end of the Chechen CTO in April 2009, that permitted building performance legitimacy (e.g. Campana 2013, 460-461, 466-468; 2014, 253-254).

The May 2009 National Security Strategy and FSB statements from March 2009 still saw terrorism as a major threat to Russia's national security ("NSS" 2009; Vatchagaev 2009b). In November 2009, Medvedev (2009b) described "the situation in the North Caucasus" as the "most serious, domestic political problem", keeping up the salience of the terrorist threat to Russia's territorial integrity even after the end of the Chechen CTO (e.g. Campana 2013, 462-463). Medvedev (quoted in RFE/RL 2009a) never neglected the need to "consistently and resolutely fight terrorists"<sup>266</sup> even though statements using Putin-like escalatory language were rare. He maintained that "terrorism remains a major threat to the security of our country, the main threat for Russia" (Medvedev 2011f).<sup>267</sup> Meanwhile, it was also maintained that the situation in the North Caucasus was "normal" or "normalising" even in the face of statistics to the contrary (Snetkov 2012; 2017; Vatchagaev 2008b). Reports of CTOs regularly gave statistics of eliminated terrorists to reclaim success, but the government remained tight-lipped about casualties on the federal side.<sup>268</sup> The most important strategic document during his reign – the 2009 National Security Strategy – also contains that contradiction: It boasts of "having [...] withstood the pressures of nationalism, separatism, and international terrorism" ("NSS" 2009, 1) while identifying two out of the five most important threats to state and public security as terrorism-related. Thus, Medvedev's statements much like the strategic documents demonstrate that the trend observed for Putin's first two presidencies – that the governmental narrative paired emphasis on the terrorist threat with that on its own success – continued, and I cannot agree with Snetkov's (2012; 2017) and Campana's (2013) proposition that North Caucasian terrorism was de-securitized.

### **III.3.3.3 Summer 2009: the comprehensive turn that didn't happen**

At a Security Council Meeting in Dagestan's Makhachkala on 9 June 2009, Medvedev (2009c) for the first time drew analytical attention to the systemic issues that underlie the rise of terrorism as being:

low living standards, high unemployment and massive, horrifyingly widespread corruption [...], systemically crippled regional governance and extraordinary

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<sup>266</sup>(see Campana 2013, 462; Medvedev 2009a; 2010a; Monaghan 2010, 4-5).

<sup>267</sup>(or Medvedev quoted in JIW 2009d; see Medvedev 2010b; RFE/RL 2009a).

<sup>268</sup>(Henman 2012, 17, 19; RFE/RL 2012f; Vatchagaev 2009b; 2009c; 2009d).

inefficiency of local authorities. [...] These are the problems from which the looming negative background originates and triggers all sorts of criminal activities [...]. These problems are the ultimate cause of destabilisation. [...] No doubt, the situation is partially influenced by certain outside factors such as extremism brought from abroad, [...] [b]ut these are not systemic problems. (Medvedev 2009c)

The Makhachkhala speech marked a turning point in the official threat diagnosis towards, in contrast to Putin's (2004b) one-off admission thereto in the aftermath of Beslan (III.3.2.4) consistently acknowledging terrorism's internal structural causes.<sup>269</sup> On a side note, Medvedev's diagnosis might have simply been a function of his broader policy profile emphasising liberalisation and economic development (e.g. Medvedev 2009a; see e.g. Hahn 2012, 47). Although he reiterated this diagnosis several times that year and supported a refinement of the goals of counter-terrorism strategy with adoption of the Concept of Counter-Terrorism in the Russian Federation in October 2009 ("CCT 2009") and of the Strategy of Social-Economic Development of the NCFD until 2025 ("Strategy-2025" 2010), the means remained the same.

The CCT nominally widened the scope of counter-terrorism from its previously exclusive focus on reaction, with prevention understood as pre-empting a looming threat (now "combating terrorism"), to a three-pronged strategy. This consists of earlier, prophylactic prevention ("proactive counter-terrorism"), the previous predominantly reactive "combating terrorism" and the "mitigation and/or elimination of the consequences of terrorist manifestations" ("CCT 2009", 12). Regarding the genesis of terrorism, it acknowledges its multi-causality in much the same way as Medvedev at Makhachkhala, describing it as "connected with internal economic, political, social, ethnic and religious antagonisms as well as with external terrorist threats, including those faced by the entire global community" ("CCT 2009", 2, see 1c, 3, 4). 35-FZ (2006) had defined as tasks of prevention "the detection and subsequent removal of the reasons and conditions conducive to committing acts of terrorism", i.e. merely alteration of terrorists' operational environment rather than working on their underlying grievances ("35-FZ" 2006, Art. 4a; see Logvinov 2012, 137; Omelicheva 2009, 4-5). The CCT, by contrast, acknowledges the very existence of such grievances that promote adoption of terrorism as a tactic. This seemed to be a first step to making these causes the subject of revised counter-terrorism strategy in the sense of what I have modelled as condition-centric prevention at II.3.5.2, aimed at minimising grievance-based potential for exploitation by radical ideologues (e.g. Crelinsten 2014, 9). The CCT was also the first counter-terrorism related document to link terrorism and extremism, at least peripherally, in mentioning "conditions facilitating the activities of extremist individuals and groups" among "major domestic factors influencing the emergence and spread of terrorism" ("CCT 2009", 3b), insinuating that they share the same

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<sup>269</sup> (Campana 2013, 462-465; 2014, 252-253; Markedonov 2010, 4; 2012, 103; Pokalova 2015, 169).

breeding grounds. Yet, it failed to state actual causes of terrorism more precisely, it only identified the need to investigate them (“CCT 2009“, 11a; see Logvinov 2012, 151-157, 414-419).

Other than that, the insight that “lack of proper control over the dissemination of radical ideologies and the encouraging violence and cruelty within Russia’s information environment” (“CCT 2009“, 3d) spurred the development of a comprehensive communicative counter-terrorism strategy. That included legislative measures to prevent the spread of ideology through criminalisation of propaganda, the establishment of mechanisms of infrastructural control over access to the internet and censorship online towards what I have modelled as actor-centric communicative counter-terrorism (II.3.6.3; III.4.3-5/III.7; Korte 2019a). The CCT also entailed elements of direct dispute with terrorists’ ideology (which Logvinov 2012, e.g. 414-419 would disagree with) in the sense of what I have modelled as target-centric communicative counter-terrorism (II.3.6.2) towards demystification and denial of attention as well as resilience-building in society at large.

When the government published Strategy-2025 in September 2010, pacifying the insurgencies was not listed among its aims. The document only touched upon countering terrorism and extremism twice. In one part, it stressed that the complex of terrorism, religious extremism and interethnic conflict was among the gravest threats to public security, deterring investors. It also estimated that it would take five to ten years to make the necessary improvements to public security but failed to specify how exactly this was to be achieved. In another part, it stressed a number of goals related to public education towards “a common Russian civic identity, prevention of ethnic and religious conflicts and of ethnic or religious-political extremism“ (“Strategy-2025“ 2010), hinting ideological prevention as indicated in the CCT. Yet summarily, in Strategy-2025, terrorism and extremism took a backseat and no concrete measures were formulated.<sup>270</sup> They only appeared as a precondition for economic development, not as a goal, contradicting Medvedev’s (2009c) earlier vow to tackle lack of the latter as “the ultimate cause of destabilisation.”

#### **III.3.3.4 *The communicative turn and support of moderate Islam (2010-2011)***

In 2010, again in Dagestan’s Makhachkala, Medvedev summarised what he understood to be counter-terrorism’s “five main challenges”:

First, [...] strengthen law enforcement and extend the power of the Interior Ministry, the FSB and other security forces, as well as help the courts. [...]

Secondly, [...] continue to strike sharp blows against terrorists, to destroy them and their safe havens [...]

Third, [...] help those who have decided to break off relations with the bandits [...]

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<sup>270</sup> (Burger and Cheloukhine 2013, 51-53; Holland 2016, 52-57; JIW 2010f; Kim and Blank 2013, 927-928; Markedonov 2010; 2012, 105-108).

Fourth, [...] address economic and social development, and promote education, culture and humanitarian programmes [...]

[F]ifth [...] strengthen moral and spiritual values and assist religious leaders [...].

(Medvedev 2010b)

These five challenges cover all four of the models of counter-terrorism identified at II.4 (coercive, conciliatory, *structural* and communicative). The first and second points refer to the *coercive* components of an *expanded criminal justice model* in the sense of Pedahzur and Ranstorp (2001). The third point covers the conciliatory part (II.3.4), at least partly, by addressing those who have de-radicalised to the degree that they are ready to drop violence through, for instance, amnesties. While these elements were already a standing part of the counter-terrorism strategy, “fourth” insinuates final consideration of condition-centric measures while “fifth” refers to the communicative aspects of counter-terrorism in several dimensions, whereby the reference to religious leaders was novel. And while socio-economic development was subsequently no longer flagged out as a specific counter-terrorism effort, communicative counter-terrorism is the policy area in which Medvedev effectuated a turn of the tide. Here he referred to actor-centric radicalisation prevention. That was especially in the sense of strengthening and supporting Islamic leaders in a position to influence religion-internal discourse to spread counter-narratives and calling on Islamic clergy to “strengthen [...] moral and spiritual values” and for the state “to provide comprehensive support for Russian Islam”, albeit without specifying what type of support (Medvedev 2011b; see 2010b; 2011d; 2011e; Cross 2013, 23). In a symbolic move, he honoured Muslim clerics killed by radicals as “true martyrs for their faith” (Medvedev 2011b). In doing so, Medvedev appropriated the language of his contraries, signalling that the Kremlin had understood that not all Chechens or Muslims were terrorists and that communicative efforts could be constructive, beginning to engage rather than further alienate followers of Islam (Campana 2013, 465; 2014, 253, 256; Pokalova 2015, 170).

### **III.3.3.5 *Interim conclusions (2008-2012)***

Medvedev’s presidency was, in terms of narrative, characterised by continuity concerning the overall threatening character of terrorism and the need to counter it relentlessly. This tied in with the conjecture that counter-terrorism is a function of the preservation of legitimacy through guarding what Beetham (2013) refers to as the *general interest of security* and its guardianship through coercion. In its diagnostic nature, that narrative continued to be a baseline for justifying counter-terrorism (e.g. Campana 2013, 460-463, 467) and framing success towards performance legitimacy (III.3.3.2, e.g. Vatchagaev 2009b; 2009c; 2009d). The two speeches cited illustrate how Medvedev, in contrast to his predecessor, consistently acknowledged terrorism’s internal structural causes (III.3.3.3, e.g. Campana 2014, 252-253). However, a truly comprehensive turn systematically paying tribute to those diagnostic insights did not, in fact,

follow (Snetkov 2011, 4). Rather, in my understanding, Medvedev's most sustainable contribution to Russia's counter-terrorism strategy was the admonition to look at ideology and its spread in the genesis of terrorism and seek co-operation with Islamic leaders (III.3.3.4, e.g. Campana 2014, 253, 256). This formed the basis for the subsequent creation of a broad communicative counter-terrorism strategy in both the target-centric and actor-centric senses (III.7; see Korte 2019a).

### III.3.4 Putin's third and fourth presidencies (2012-2018)

#### III.3.4.1 *The terrorism narrative and the Kremlin's "cultural turn"*

When Putin returned to the Kremlin on 7 May 2012, after four years of "tandemocracy", things in Russia were not quite the same as during his first two presidencies. As Kneuer (2017, 196-200), Mommsen (2017, 195), Sakwa (2008, 882-883), Robinson (2018, 97-192) and von Soest and Grauvogel (2015, 14) all point out, after the 2008-2009 financial crisis, economic performance legitimacy derived from Russia's success on the energy market no longer seemed sustainable. Rather than going further down the road of liberal reform initiated by Medvedev, Putin embarked on a "cultural turn" in the legitimization strategy (Robinson 2018, 97-102 quoting Sakwa 2013), embracing what Kneuer (2017, 196-200) calls an "ideational-identitarian argument pattern". That partly justifies Putin's leadership by his guardianship of a community of values in the Russian "state-civilization" and combines a refurbished Russian nationalism containing "anti-Western, anti-liberal and neo-imperial" ideas with multi-religiousness and multi-ethnicity.<sup>271</sup> In some ways, it resembles ideology but does not fulfil all of the characteristics outlined at II.5.7 and thus falls more within the framework of what Kneuer (2017, 183-184) calls "missions" which are more concrete and limited in reach. It does not completely explain reality and justify the distribution of power towards a distant utopia, nor has it been accompanied by a transition from what Beetham (2013) refers to as the *electoral* to the *mobilisation mode of consent* (II.5.3; see Mommsen 2017, 126-128). The appropriation of this "ideational-identitarian argument pattern" by the Kremlin was accompanied and referred to by a change in the governmental threat narrative regarding terrorism and by a more embracing stance towards Islam as part of communicative counter-terrorism.

The narrative surrounding terrorism and counter-terrorism was in part continuation of Putin's first two terms and in part more distinguished. It was more distinguished with the role of Islam and Islamic clergy in countering extremism as the ideology underlying terrorism and in safeguarding "traditional" Islam, now portrayed as an integral part of the newly emphasised cultural and value canon. Two elements changed after Sochi: the amalgamation of terrorism and extremism beyond distinction and a re-orientation of the terrorist threat narrative to absorb foreign fighters. Generally, the period fits previous patterns of justification of counter-measures,

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<sup>271</sup> (Mommsen 2017, 126-128, citing Bremer 2015, 6-8, auth. transl.; Mazepus et al. 2016, 355-356; Robinson 2018, 97-102).

performance legitimacy garnered from counter-terrorism and the external representation of Russian national interests.

#### **III.3.4.2 *The steady terrorism threat narrative and performance legitimacy***

More than Medvedev, Putin emphasised the importance of the NCFD to Russia's integrity and the readiness to defend it against the threat of terrorism through the use of force. In 2011, he had defended the North Caucasus as "not ballast, but one of the pearls of Russia [...] Through it, we affirm and defend a significant portion of our geopolitical interests in this part of the world", articulating the strategic importance of the region (quoted in Schwirtz 2011). With a view towards security during the Sochi Olympics in 2014, Putin (2012) mentioned the determination "to act with utmost decisiveness [...] relentlessly, decisively and, when necessary, aggressively", including the use of "coordinated targeted military operations in order to stop terrorist activities", indicating a certain continuity as to the preferred solutions. Terrorism retained its highly threatening character in the official narrative through 2018, and Putin's language often barely differed from the early days of the Chechen CTO.<sup>272</sup> Equally steady components of the narrative were the justification of the use of military force, appeals to "unity" in all spheres and regular references to the international component to the threat and the accordant international weight and significance of Russian efforts to fight it.<sup>273</sup> These points all allude to the previously observed centrality of security and territorial integrity as part of Beetham's (2013) *general interests* that are served by way of countering terrorism to sustain governmental legitimacy (Korte 2018a). They also function to justify governmental counter-measures as necessary and appropriate as proposed at II.5.6.

Concerning performance legitimacy, said claims as to the magnitude of the terrorist threat continued to contrast with claims of success (e.g. Goble 2018; cf. III.3.3.2, e.g. Henman 2012). In his address on the occasion of the 200<sup>th</sup> anniversary of the Chechen capital of Grozny in October 2018, Putin's (2018c) statement burst with pride and a sense of achievement: "Grozny and its residents [...] faced the cruel aggression of international terrorism against Russia. [...] Literally before our eyes, it is turning into a city where it is comfortable to live and work, a city that is dynamic and oriented to the future". Again, the upshot is the ability to cite this very counter-terrorism performance as a source of *performance legitimacy*.

#### **III.3.4.3 *The narrative merger of terrorism and extremism***<sup>274</sup>

At a press conference on 14 January 2014, a few weeks before the start of the Sochi Olympics, Putin (2014a) commented on the terrorist threat to the event. He basically equated it to extremism and used a similarly delegitimizing narrative of extremists as "criminals" and "bloodthirsty" people as seen in his rhetoric at the onset of the Chechen CTO (see III.3.2.3,

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<sup>272</sup> (Putin 2014e; 2015b; 2017a; 2017b; 2018a; 2018b; see Vatchagaev 2015; Souleimanov 2017, 212).

<sup>273</sup> (e.g. Putin 2015a; see Sokolov 2016; Karpov 2013; Myers 2013; RT 2013).

<sup>274</sup> This subsection is partly based on Korte (2019a).

e.g. Putin 2000a). In another statement that year he scaled back on this equalisation, only describing the two as “linked”, but his implied meaning of *extremism* was still the same as his descriptions of terrorism (Putin 2014d). Meanwhile, the similarity to *terrorism*, specifically the *ideology of violence* component, constitutive of the Russian definition of terrorism since the adoption of No. 35-FZ (2006; III.3.2.5 above), was clarified in an explanation of the concept published in the Herald of the National Antiterrorism Committee, the NAK’s English publication:

The ideology of violence is a complex of ideas that reproduces itself inside the society being introduced into collective consciousness from the outside. The perception of such ideas is encouraged by a whole range of factors both objective (economic situation, crime rates, population employment, etc.) and subjective (mental deviations, personal failures and inconsistency, jealousy, complicated life situations. (Ilyin 2014, 38)

The diagnosis of extremism’s genesis in Putin’s 2014 speeches as well as Ilyin’s explanation is extremely similar to the CCT (2009, 2, see 1c, 3, 4), even to Putin’s (2004b) altered diagnosis after Beslan and also to Medvedev’s speech at Machachkhala (2009c), inter alia regarding the relationship between internal and external factors. The terms *terrorism*, in the sense of *ideology of violence*, and *extremism* have been used interchangeably since (e.g. Kostromina 2019b, 9-10; Verkhovsky 2018). Their merger also becomes apparent at the level of causes and counter-measures where a clear differentiation between the two is no longer possible: Putin (2017b; see 2014d) has upheld Medvedev’s seemingly systematic diagnosis of the causes of terrorism, stating that “one of the main sources of terrorism is a low level of education and living standards” and that it is rooted in deteriorating relations between ethnic groups. Both points have also been key priorities in the fight against extremism. While the reference to inter-ethnic issues plays into that part of the newly embraced legitimisation narrative in which Putin has emphasised Russia’s “multi-ethnic” character (Putin 2013b; see e.g. Robinson 2018, 97-102), the strategic outcomes in terms of ethnic policy have not gone beyond the communicative realm.

#### **III.3.4.4 The “traditional values” discourse, religion and counter-terrorism<sup>275</sup>**

The Kremlin’s diagnosis of the rise of terrorism and extremism is pitted against a crisis of traditionalist and patriotic values that is part of above-mentioned development in the Kremlin’s legitimisation strategy (Kislyakov 2018). After 1990, Russian religious policy became liberal, and in her new constitution of 1993 (Art. 14), Russia constituted herself as a secular state (Hartwich 2011; Laruelle 2016, 2; see Bourdeaux 2003). During Soviet times, nationality and ethnicity had been the central markers of national identity, and after the Soviet Union’s collapse, the state struggled to find a replacement that would cater for needs of individual identity and provide the necessary unifying national spirit (Laruelle and Yudina 2018, 44). Over time, the idea of *Russkiy Mir* emerged, whose political and cultural values are “openly traditionalist,

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<sup>275</sup> This subsection is partly based on Korte (2019a).

conservative, anti-Western and anti-globalist” (Antunez 2016; see Mommsen 2017, 120-128). It converges around “a ‘white’ ethnic identity” (Laruelle 2016, 12), is perceived to come under threat from both Eastern migrants and the West, and the ROC plays a special legitimating role within it.<sup>276</sup> Although tensions between the state’s secular character and the increasing reference to religion are observable, the Kremlin and the ROC rely on one another observably, the former – following Antunez (2016) – for “historical and cultural legitimacy”, the latter for protection.<sup>277</sup> This importance of the state-ROC relationship has been prominent in the government discourse on “traditional values” as part of that broader civilizational concept which emerged around 2012 and which has such an explicitly religious layer that Robinson (2018, 98) argues that “the character of this civilization is essentially a religious one” (see du Quenoy and Dubrovskiy 2018, 99-101). Putin has gone to great lengths to defend the notion that Russia’s “state-civilization” embraces all of its ethnicities and faiths as equals, including support of Russia’s blasphemy law (Laruelle 2016, 2; Ponomareva 2013; Robinson 2018, 97-102).

The first recent reference to Russian values had appeared in the NSS of 2009. The traditional element began to gain traction in the context of the nationalist protests on Manezh Square in December 2010 and more so against the backdrop of renewed confrontation with the West (Mommsen 2017, 193-195; du Quenoy and Dubrovskiy 2018, 94-96). Putin began to mention these values and reference them with an article published in January 2012 (du Quenoy and Dubrovskiy 2018, 94) and highlighted them in his annual addresses in December 2013 and 2014 (Putin 2013a; 2014c). They were also part of Russia’s self-ascribed national identity and identified as a matter of national security in the NSS 2015 (Articles 11, 30). The new emphasis also stimulated the adoption of an anti-pornography law in 2012, that was in fact the first significant step in creating the current regulatory framework for the online communication space.<sup>278</sup>

The discourses on terrorism and extremism and on “traditional values” are directly related in at least three ways. First, the crisis of “traditional values” is connected to and opens yet more opportunities for the foreign injection of “dangerous” ideas – liberal Western values as much as religious extremism, appraised as “a geopolitical instrument to rearrange spheres of influence” (Putin 2014d). Articles 78 and 79 of the National Security Strategy 2015 (“NSS” 2015) also describe “traditional Russian spiritual and moral values” as elements of “national security in the sphere of culture” under threat of erosion, inter alia, by the “propaganda of permissiveness and violence”, paraphrasing terminology used in 114-FZ (2002) on extremism

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<sup>276</sup> (see Antunez 2016; Kneuer 2017, 196-197; Laruelle 2016, 4, 12; von Soest and Grauvogel 2015, 12; du Quenoy and Dubrovskiy 2018, 94-101).

<sup>277</sup> (see Laruelle 2016, 2; Mommsen 2017, 120-125). Cf. Gudkov (2011, 18) who argues that the ROC is not, in fact, truly central to the notion of traditionalism and that it is also an “imitative traditionalism” rather than a genuine one (see Pain 2011, 16-17).

<sup>278</sup> (Bigg 2012; Borogan and Soldatov 2013; RT 2012 see III.7.4 below).



and 35-FZ (2006) on terrorism (Verkhovsky 2018, 22-24; see “NSS” 2015, Articles 11, 30, 47, 70). Secondly, the concept of “traditional” is used to demarcate legitimate Russian Islam from terrorist “Wahhabism” (next subsection). Finally, “traditional values” have been cited as a vaccine against an array of threats to the nation, among them the merged threat of terrorist and extremist ideologies (III.7).

The internet is seen as both part of the original crisis and the solution. As Russian psychologist Kislyakov (2018, 61, 63-65) explains, the Kremlin understands the internet as a venue for targeted promotion of Western liberal values such as “social individualism”, thereby eroding the traditionalist and patriotic coherence of its social fabric.<sup>279</sup> Putin’s diagnosis was that that is exploited via the internet by “those who try to infect society with aggression, intolerance, xenophobia and nationalism” (Putin 2018b) and that, as a consequence, “extremist ideology is gaining momentum in the virtual world, spilling out into the real one” (Putin 2014d). Building on Medvedev’s earlier diagnoses, in later years, this formed the basis for communicative counter-terrorism as seen inter alia in the NSS 2015 (Art. 47, see III.7.4 below). At its core lies the perception of liberal values and extremism as instruments of external political interference, cited to justify a protectionism of values and a protectionism of infrastructure, particularly the idea of an autonomous Russian internet (RuNet).<sup>280</sup>

#### **III.3.4.5 Russian Islam: “traditional” versus “non-traditional”**

The protectionism of values has relied on a dichotomisation of the traditional versus the non-traditional which is thus constructed as undesirable, alien or enemy, also as regards Islam.<sup>281</sup> The relationship between the Russian state and Islam has been fluctuating and, following Laruelle (2016, 2-3), subjected to at least three different political objectives: The first is to include Islam in Russia’s self-identification as a “multinational and multi-religious country”, relying on positive relations with Islamic clergy and the absorption of Islamic culture, values and traditions into a collective Russian identity.<sup>282</sup> The second is to use Islam as a venue or contact point of foreign policy reaching out towards the Arab World, driven by economic and security considerations as much as by Moscow’s quest to take a lead role between East and West (see Antunez 2016). Third, the Kremlin has relied on the distinction between traditional and non-traditional religions to maintain its intolerance of non-traditional Islam and justify its crackdown on Wahhabism.

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<sup>279</sup> (see “NSS” 2015, Articles 43, 47, 78, 79; du Quenoy and Dubrovskiy 2018, 96-97).

<sup>280</sup> (e.g. Cross 2013, 4; Ermoshina and Musiani 2017, 42; Kislyakov 2018; du Quenoy and Dubrovskiy 2018, 96-101; Soldatov 2017).

<sup>281</sup> (Laruelle 2016, 2-3; Laruelle and Yudina 2018, 52; du Quenoy and Dubrovskiy 2018, 101; Verkhovsky 2018, 25-26).

<sup>282</sup> This is foresightful considering Russia’s projected demographic development with up to one fifth of the population predicted to be Muslim by 2030, up to half by 2050 (JIAA 2009; Laruelle 2016, 1, 8-11; Laruelle and Yudina 2018, 43, 52; Malashenko 2014; Pipes 2013).

Traditional Russian Islam is considered to be that which is sanctioned by the Spiritual Boards of Muslims (SBMs), includes any and all of the Sufism-inspired variations in the NCFD and allows the incorporation of local honour codes such as *adat* (Zhemukhov et al. 2018, 200). The SBMs are private institutions that cooperate with the state and the ROC as permitted by a secular constitution; only in Chechnya is the SBM subordinate to the state structure.<sup>283</sup> At federal level, the most important bodies are the Central Muslim Spiritual Board of Russia (CSBM/CDUM), the Russian Muftis Council (RMC), the Organisation of Russian Muslims (NORMS) and the Coordinating Centre of North Caucasus Muslims (CCMNC).<sup>284</sup> Non-traditional Islam is a residual category for anything else and collectively referred to as “Wahhabism”, subsuming and delegitimizing three very different streams of people: Salafists, Islamists and religiously motivated terrorists (Laruelle 2016, 2-3). Moreover, “non-traditional Islam” in the Kremlin’s narrative also has a foreign origin (Laruelle 2016, 2; Malashenko 2014), tying in with earlier efforts at externalising blame (Verkhovsky 2018, 23) as well as with said protectionism of Russian values. Meanwhile, the securitisation of ill-defined Wahhabism has informed a government policy and the adoption of counter-extremism legislation that both fail to distinguish between radicalism in thought and radicalism in deeds.<sup>285</sup> It has also spurred the forging of ties between the Kremlin and traditional Islamic clergy and deployment of “traditional values” counter-narratives for preventing radicalisation and the resilience-building part of communicative counter-terrorism (III.7.4).

#### **III.3.4.6 *The narrative on foreign fighters and legitimacy’s international dimension***

Initially, federal authorities were surprisingly silent on the fact that Russian citizens were leaving to fight in Syria and Iraq with IS and JAN (e.g. Weiss 2015). The nascent narrative indicates that the Kremlin did initially not see IS as a key threat to Russian national security per se but more to international security as a whole (Putin 2015a) and to the Assad government as Russia’s partner (Halbach 2015, 2; Klimenko and Melvin 2016). From March 2015, the perception and threat narrative changed.<sup>286</sup> This went to the extent that Putin (2015a) stated in December:

The militants in Syria pose a particularly high threat for Russia. [...] They get money and weapons and build up their strength. If they get sufficiently strong to win there, they will return to their home countries to sow fear and hatred, to blow up, kill and torture people.

In a similar vein, Art. 18 of Russia’s NSS 2015 warns of the emergence of regional hotbeds such as IS and their metastasising impact on terrorism and extremism across the globe, marking the merger of the international with the domestic dimension in the Kremlin’s threat

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<sup>283</sup> (Antunez 2016; Zhemukhov et al. 2018, 199; unconstitutionally, as pointed out in Logvinov 2012, 189).

<sup>284</sup> (Antunez 2016; Laruelle 2016, 6; Malashenko 2014; Zhemukhov et al. 2018, 199).

<sup>285</sup> (Cross 2013, 9; Laruelle 2016, 2-3; Laruelle and Yudina 2018, 47-51; Malashenko 2014; Verkhovsky 2018, 25-26; see III.4.4 below).

<sup>286</sup> (Putin 2015a; 2015b; see CEP 2018, 8-9; Galeotti and Spyer 2015, 10; Kupfer 2017; MacFarquhar 2015; Paraszczuk 2015b; Souleimanov and Petrylova 2015, 69-70).

narrative (Baev 2018, 8). The Kremlin's narratives have always contained an international dimension to the domestic terrorist threat both at the source level and at the level of counter-measures. However, the rhetorical merger at the end of 2015 also replaced an interim narrative that had focused on an externalised threat image relating to Crimea, merging the terrorist threat in Syria with that emanating from potential returnees at the home-front, illustrated above, replacing the anti-Western and the pro-national unity narrative over Crimea.<sup>287</sup> Merging these issues and casting their rise as a result of failed Western policies, sometimes even direct interference (e.g. Putin 2014b), allowed once more for reaping three benefits at once: externalising blame, cultivating of rally 'round the flag effects after the height of the Crimea crisis and narrating Russian counter-terrorism as part of international counter-terrorism through targeting Jihadists in Syria.<sup>288</sup> Via reframing the terrorist threat to incorporate Crimea and then the Syrian theatre and casting the two engagements – external, so outside the scope of my investigation – as counter-terrorism ones, Putin's popularity as a leader was once more tied to counter-terrorism (Baev 2018, 17-22).

#### **III.3.4.7 *Interim conclusions (2012-2018)***<sup>289</sup>

With Putin's return to the Kremlin, many aspects of the narrative on terrorism and counter-terrorism remained steady. These include the oscillation between emphasising the threat and stating the accordant need and resolve to counter it resolutely and in "unity" and garnering performance legitimacy from doing so, in line with the proposed role played by serving Beetham's (2013) *general interest of security* as well as territorial integrity (II.5.6.3). Putin further expanded the emphasis on ideology introduced by Medvedev. This took place both in terms of threat diagnosis and counter-proposals which have intersected with the larger development of the Kremlin's legitimation strategy into what Kneuer (2017, 196-200) explores as an "ideational-identitarian argument pattern" (III.3.4.3-4). In as much as the new legitimation narrative refers to the guardianship of a community of values (Mommsen 2017, 126-128; Robinson 2018, 97-102) as a *general interest*, the ideational fight against terrorism has, on top of the kinetic engagement, become absorbed into legitimacy-relevant *due performance*. In defence of that community of values, Putin has spearheaded the expansion of a communicative counter-terrorism policy in which counter-terrorism and larger interests of a broadly construed notion of national security and the legitimation of power intersect (see III.7.4). Specifically, the Kremlin has distinguished between so-called "traditional Islam" and a "Wahhabi" version that continues to be demonised and has enlisted the Islamic establishment, representative of the former, to counter extremist narratives with Islamic counter-narratives as part of radicalisation prevention (II.3.4.5, e.g. Laruelle 2016, 2-3; du Quenoy and Dubrovskiy

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<sup>287</sup> (Baev 2018, 8, 17-22; Halbach and Isaeva 2015, 7-8; Kneuer 2017, 199; Mommsen 2017, 213-219; Robinson 2018, 234-239; Stratfor 2015).

<sup>288</sup> (ibid).

<sup>289</sup> Based on previous subsections, this subsection contains similarities with Korte (2019a).

2018, 101). Moreover, ideological resilience has been strengthened by propagating “traditional values” more broadly (see III.7). As the latter also helps propagate the Kremlin’s larger “cultural-ideational” legitimisation narrative, it may have the by-product of raising legitimacy through discursive *self-closure* in spreading the norms and principles against which the Kremlin would like to see its *authorisation* and *performance* evaluated (Beetham 2013). Meanwhile, this is limited insofar as that legitimisation narrative falls short of comporting to a full ideology (conceptually Kneuer 2017, 187; see Mommsen 2017, 126-128; see II.5.7). Finally, following the merger of the concepts of *extremism* and *terrorism* (III.3.4.3), the subsumption of foreign fighters into that amalgamated threat narrative marked the convergence of internal and external attribution (III.3.4.6, e.g. Baev 2018, 8). Aside from allowing for a re-orientation of Russian nationalism, this permitted not only for priming international tolerance of Russia’s intervention in Syria, but also for garnering additional performance legitimacy from external representation of Russian national interests (III.3.4.6, e.g. Mommsen 2017, 213-219).

### III.3.5 Summary of the threat narrative

The Kremlin’s understanding and narrative on terrorism and counter-terrorism had some constant elements over the period examined: the securitisation of terrorism, accordant legitimisation of coercive counter-measures, the need for executive and popular unity and constant oscillation between emphasising the threat and emphasising success in countering it. An element that changed several times is the international component. Elements added during Medvedev’s interregnum were a nominal understanding of terrorism as rooted in systemic problems and a real understanding of the role and impact of ideology. Pertaining to the former, no serious corresponding measures were taken in the two most relevant strategic documents adopted during his reign. Recognition of the impact of ideology, by contrast, precipitated major developments for communicative counter-terrorism that have been further accelerated since (Korte 2019a).

Terrorism has consistently been portrayed as a threat to Russia’s territorial integrity and sovereignty, implicating that countering it is a necessity of attending to Beetham’s (2013, e.g. xiii, 82-90, 137-138) *general interest of security*, thus, a function of legitimacy (Korte 2018a). This is a first indicator that autocratic governments may counter terrorism to sustain their legitimacy although, as Campana (2013, 462; 2014, 251-252, 254) points out, diagnostic and strategic framing components are equally present. The military intervention in Chechnya was thus cast as necessary, justified and even as a liberation operation (III.3.2.3, e.g. Campana and Légaré 2011, 51-54). Moreover, the Kremlin could foster its performance legitimacy from serving the *general interest* through citing numbers of eliminated terrorists (III.3.3.2, e.g. Henman 2012, 17, 19) and, once the Chechen CTO was completed, for the republic’s reinstatement (e.g. Snetkov 2012, 531-534; see III.6-7). First hints of a reciprocal relationship between counter-terrorism and the institutionalisation of power are seen in the recurring

argument that counter-terrorism requires “unity”, justifying inter alia the verticalisation of power (III.5, e.g. Lemaître 2006).

Regarding the role of ideology (in terrorism) and the related development of communicative counter-terrorism, Medvedev’s call to enlist Islamic clerics in curbing extremism (III.3.3.3-4, e.g. Medvedev 2010b) marked a significant departure from Putin’s initially homogenising narrative (III.3.2.3, e.g. Daly 2001a) and changed Russia’s communicative counter-terrorism for good (Korte 2019a). Here, the real grappling with extremist ideology only began after Putin’s return to the Kremlin in 2012 and the turn towards relying on “ideational-identitarian argument patterns” (Kneuer 2017, 196-200) for legitimating the power arrangement. The new legitimisation narrative intersects with the threat narratives on terrorism and extremism: “traditional values” as a source of legitimacy and broadly construed national security interest are under threat from Western interference and extremist ideology (III.3.4.4, e.g. Kislyakov 2018). The new legitimisation narrative lacks *mobilisation* and *self-closure* as defining characteristics of systemic reliance on ideology as a source of legitimacy.<sup>290</sup> However, where terrorism and extremism are cast as ideational threats to the integrity of the Russian community of values, the interest in upholding it can be accommodated in Beetham’s framework as a *general* one given his recognition of *general* interests other than security and welfare by virtue of their normative construction (Beetham 2013, 82-90, 138). For the Kremlin, the rhetorical solution was the partitioning of Islam into “traditional” Russian Islam as represented by the SBMs, the portrayal of Russia as an “islamophile” country and branding anything else as foreign, Wahhabi, Salafi, extremist or terrorist (III.3.4.5, e.g. Laruelle 2016, 2-3). This has precipitated the enlistment of Islamic clergy into countering extremist ideology as part of actor-centric communicative counter-terrorism since around 2010 (III.3.3.3-4, e.g. Medvedev 2011b) and, slightly later, a general emphasis on the spread of “traditional values” towards resilience as an aspect of target-centric communicative counter-terrorism (see III.7; Korte 2019a). The latter also doubles as further spreading the new legitimisation narrative strengthening the discursive component towards the legitimisation of power in general.

An interesting point across time is the international element to Russia’s terrorist threat. At the onset of the Chechen CTO, terrorism was cast as only externally rooted, localising responsibility outside, rallying the population around the flag while facilitating self-portrayal as a global partner (III.3.2.3, e.g. Snetkov 2012, 525-530). In 2014, the external and internal elements were combined with the adoption of the narrative on foreign fighters and the external came back to the fore (III.3.4.6, e.g. Halbach and Isaeva 2015, 7-8). In as much as this allowed for the re-orientation of Russian nationalism after the height of the Crimean crisis, it was a back to the roots for Putin: garnering public support through counter-terrorism, including via its

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<sup>290</sup> (Beetham 2013, 104-108, 181-184; II.5.3.3, II.5.7 above; Kneuer 2017, 187; see Mommsen 2017, 126-128).

international dimension (Baev 2006b, 2; 2018, 17-22; Kneuer 2017, 199). Across time, that enabled the Kremlin to garner performance legitimacy from representing Russian national interests at the international level by weakening international criticism of domestic counter-terrorism and advancing on ambitions to become a responsible global power and partner.<sup>291</sup>

### III.4 The legal framework for countering terrorism and extremism<sup>292,293</sup>

#### III.4.1 Overview<sup>294</sup>

Over the period examined, the Russian legal framework for countering terrorism has developed from a narrow base consisting of only one terrorism offence in the Russian Criminal Code (UK RF) to punish terrorist activity ex post and a single federal counter-terrorism law (“130-FZ“ 1998) into a comprehensive legal framework. That includes many criminal justice tools for predating criminal liability with respect to terrorism and tackling extremism in line with the conception of its functioning as the underlying “ideology of violence” since Federal Law 35-FZ (2006). The overall developments can be characterised along five axes:

- Penalisation of terrorism and related offences in the Russian Criminal Code (UK RF);
- Expansion of the legal basis for the extrajudicial deployment of the armed forces and special services in the legal framework of zones of CTO (since 1998);
- Penalisation of extremism and related offences in the UK RF (since 2002);
- The curbing of the dissemination of certain types of content and of communal activities through administrative law and the regulatory framework (since 2012);
- The drafting of other stakeholders, particularly lower levels of government, into communicative counter-terrorism (since 2016).

The first three points developed in parallel until 2006 but converged as the fight against extremism came to be regarded as an essential element of counter-terrorism around 2012. The fourth and fifth points have been part of the strategic expansion towards non-coercive prevention of the spread of ideology as part of the communicative pillar of counter-terrorism established under Medvedev. As such fall outside of the scope of coercive counter-terrorism.

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<sup>291</sup> (III.3.2.3; III.3.4.6, e.g. Mommsen 2017, 213-219; Snetkov 2012, 525; von Soest and Grauvogel 2015, 12).

<sup>292</sup> This section is partly based on my comparative legal research project at Minerva Center for the Rule of Law under Extreme Conditions at the University of Haifa (MCRLEC) and the associated outcome lectures Korte (2018a; 2018b) and manuscript (Korte 2019b), awaiting publication. Subsections III.4.1 and III.4-III.4.6 are partly based on Korte (2019a). My special thanks go to the MCRLEC and the Minerva Foundation for their generous financial support. I am indebted to Eli Salzberger, Fergal Davis, the MCRLEC members and participants of the 2<sup>nd</sup> and 3<sup>rd</sup> Young Researchers Workshops on Terrorism and Belligerency for their constructive feedback on various drafts and presentations.

<sup>293</sup> Analysis is based on translations of legal texts, partly from secondary literature. Unless specifically stated in-text, the source of the translation is indicated in the reference list. For the Russian Criminal Code (UK RF), two different translations are used: the original 1996 version, translated by the World Trade Organization (UK RF 1996), and a consolidated version with amendments through 2012, translated by the World Intellectual Property Organization (UK RF (1996) 2012). For federal laws mentioned in secondary sources where there is no (un)official translation or that took place after 2012, I generally checked the dates, titles and facts of amendments on the Russian version of “ConsultantPlus” (2020), a website that provides legal texts for reference, using Google Translate.

<sup>294</sup> See note 292.

I classify the overall approach towards coercion enshrined in the law as an *expanded criminal justice* one following Pedahzur and Ranstorp (2001).

### III.4.2 Terrorism-related legislation until 2006

#### III.4.2.1 Terrorism Offences in the Russian Criminal Code: 1996-2006<sup>295</sup>

At the beginning of the period analysed, Art. 205 UK RF defined the scope for criminal justice in counter-terrorism, and Federal Law 130-FZ (1998) contained the larger directions and provisions for counter-terrorism. Art. 205 thereof defined terrorism as

the perpetration of an explosion, arson, or any other action endangering the lives of people, causing sizable property damage, or entailing other socially dangerous consequences, if these actions have been committed for the purpose of violating public security, frightening the population, or exerting influence on decision-making by governmental bodies, and also the threat of committing said actions for the same ends [...] (“UK RF“ 1996, Art. 205(1))

Although there was a purpose requirement, it did not require creation or instrumentalisation of fear nor a political orientation. As Kireev (2009, 10-11) points out, the term “socially dangerous consequences” is so vague that a literal interpretation could stretch to almost any other crime. Moreover, as Petrishchev (2009, 37-38) notes, terrorism was not only not considered a political crime, demonstrated by its placement in Section IX (Crimes Against Public Security and Public Order) along with traffic violations rather than in Section X (Crimes Against State Power), but the penalties were also much more lenient than those in Section IX. So initially, terrorism seems to have been understood as a regular crime, fitting Crelinsten’s (e.g. 2014) criteria for a traditional *criminal justice model*.

In 2002, Art. 205.1 was introduced to criminalise Contributing to Terrorist Activity by “soliciting, recruiting or other involvement” and also financing (Art. 205.1(1) “UK RF“ (1996) 2012; see Kostromina 2018, 4) which marked the first step in predating criminal liability regarding terrorism. In 2004, the Criminal Procedures Code was amended to create exceptional procedural provisions for terrorism prosecutions that included increasing the period of pre-trial detention and altered evidentiary rules for terrorism-cases.<sup>296</sup> The criminal law’s reach expanded significantly in July 2006 when, as part of the implementation process for the Council of Europe’s Convention on the Prevention of Terrorism (“Warsaw Convention“ 2005) which Russia had signed in November 2005, UK RF Articles 205 and 205.1 were amended and new Art. 205.2 introduced.<sup>297</sup> Since then, the definition of an “Act of Terrorism” has been:

The carrying out of an explosion, arson or other actions intimidating the population, and creating the threat of human death, of infliction of significant property damage or the onset of other grave consequences, for the purpose of influencing the taking of a

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<sup>295</sup> This subsection is based on my comparative legal research project (Korte 2018a; 2018b; 2019b).

<sup>296</sup> (Beckman 2007, 102; Bridge 2009, 7; Guiora 2005, 158; HRW 2015b, 26).

<sup>297</sup> (“153-FZ“ 2016; CODEXTER 2008, 3; Kostromina 2018, 5; Kulishov 2010, 61; Lutsenko 2008, 35-36).

decision by authorities or international organisations, and also the threat of commission of the said actions for the same purposes. (“UK RF“ (1996) 2012, Art. 205(1))

In contrast to the old definition, the new definition has a more explicit political purpose requirement. Yet, it is still broad given that intimidation is not a strictly necessary element of the crime and that “other actions” are not specified, rendering behaviour not considered criminal before criminally relevant. Omitting the ideological component characteristic of the new understanding of terrorism in Art. 3 of 35-FZ (2006; see III.3.2.5), the offence also retained its characteristic to punish deeds not thoughts. Art. 205.1 was amended to penalise not contribution to terrorist activity via the connection with a terrorist group, but contributions to terrorist activity as such, lowering evidentiary thresholds for the prosecution (Lutsenko 2008, 41-44). New Art. 205.2 penalises Public Calls for Committing of Terrorist Activity or Public Justification of Terrorism (hereinafter Public Justification of Terrorism) where “Public justification of terrorism” is defined as “a public statement on the recognition of the ideology or practices of terrorism as correct, and in need of support and a following” (“UK RF“ (1996) 2012). Art. 205.2(2) penalises “the same acts committed through the use of the mass media” (see Kostromina 2018, 5; 2019b, 3; Lutsenko 2008, 35-38).

Summarily, the July 2006 amendments to the UK RF indirectly implemented the slightly broader understanding of prevention in 35-FZ (2006) compared to 130-FZ (1998) and expanded criminal justice tools for prevention accordingly but without paying attention to ideology as such, a characteristic that Kumarovna (2015, 154) attests to the larger Russian criminal justice approach for years thereafter. It can thus be said that until 2006, the UK RF provided a legal framework in the sense of a Crelinsten’s traditional *criminal justice model* in as much as it understood terrorism as a relatively “ordinary crime”, given placement in section IX (Petrishchev 2009, 37-38). Yet, in as much as penalties were being raised, various new offences added to predate criminal liability and the criminal procedures code amended, the UK RF framework already began to exhibit some of the characteristics of an *expanded criminal justice model* as envisaged by Pedahzur and Ranstorp (2001). In fact, the *expanded criminal justice model* seems to be the consistently more appropriate framework if one considers the expansive provisions of 130-FZ (1998) and later 35-FZ (2006), also in light of the actors they enlist and their empowerment within the CTO legal framework (Logvinov 2012, 146-150; Pokalova 2011, 158-161).

#### **III.4.2.2 Federal Law No. 130-FZ (1998)<sup>298</sup>**

The basic legal framework for the Chechen CTO was not the UK RF but No. 130-FZ (1998). With its definitions and assigning rights and duties in the counter-terrorism context to various stakeholders, 130-FZ (1998) lay the groundwork not only for the military component of counter-

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<sup>298</sup> This subsection is partly based on my comparative legal research project (Korte 2018a; 2018b; 2019b).



terrorism in the course of the Chechen CTO but also affected the criminal justice component to coercion. The first part of the definition of terrorism in Art. 3 of 130-FZ was almost coterminous with Art. 205 UK RF; the second part added a list of grave crimes and international dimensions. Like Art. 205 UK RF, the definition did not elaborate on the nature of the perpetrators' interests other than that they were unlawful. No. 130-FZ (1998) expanded the reach of the criminal justice framework by defining as *terrorist crimes* Articles 205 to 207, 277 and 360 UK RF and stating that "other crimes [...] may be categorized as terrorist crimes if they are committed for terrorist purposes" (Articles 205, 205.1, 206 to 208 and 360; see Logvinov 2012, 136). Although, for instance, Beckman (2007, 101), Guiora (2005, 157) and Petrishchev (2009, 42) stress the definitions' exceptional breadth, the requirement for *terrorist crimes* to constitute crimes to begin with at least foreclosed the prosecution of otherwise non-criminal activities thereunder. Art. 3 also defined "terrorist action" by listing a number of activities without a political or purpose requirement. Besides the part of definitions in 130-FZ connected to the UK RF, subsumable under Crelinsten's traditional *criminal justice model*, the definition of "terrorist activity", distinct from "terrorist action" and "terrorist crime" in Art. 3 ("130-FZ" 1998) was broader than the other two and included preparatory activities notably more expansive than those in the UK RF at the time. In my understanding, this rendered a number of activities subject to lawful extrajudicial interception by military and security services under 130-FZ but not to criminal prosecution because they were not offences in the UK RF at the time. This leads to my overall classification of the initial approach as an *expanded criminal justice* model following Pedahzur and Ranstorp (2001). This array of definitions also provided a broad basis for 130-FZ's provisions on counter-terrorism.

Here, 130-FZ's importance primarily derives from its scope for framing and, together with a series of presidential decrees, legally grounding the September 1999 military intervention in Chechnya as a CTO.<sup>299</sup> Art. 3 ("130-FZ" 1998) defined "the fight against terrorism [as] activity to prevent, uncover, stop and minimize the consequences of terrorist activity". However, its aims, as outlined in Art. 5(2) and (3) and the term "counter-terrorist operation" (Art. 3), CTOs' entire design and measures (Articles 10 to 16) and the other aims outlined in Art. 5 all referred not to "terrorism" but to "terrorist activity" or "terrorist action" – terms that denoted an array of actions that neither contained a political purpose nor references to ideology. Likewise, No. 130-FZ did not include as aims the prevention of the genesis of terrorism as regards tackling its causes, an underlying ideology or political grievances. Rather, "factors and conditions" were concerned only with environmental, i.e. circumstantial, "conditions conducive to the implementation of terrorist activity" (Art. 5(3)) so that the stated principle of prevention (Art. 2(2)) came to nothing. Instead, the lopsided diagnosis of terrorism as a primarily physical, violent and criminal phenomenon rather than a tactic in the service of political goals paved the

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<sup>299</sup> (Beckman 2007, 101; Pokalova 2011, 158-161; Saradzhyan and Abdullaev 2005, 126-127).

ground for an initially heavy-handed military and predominantly reactive approach to countering terrorism, dominated by the security services (Guiora 2005, 155-156). In this vein, 130-FZ provided for the extrajudicial use of force by different operative agencies (FSB, MVD, MO and others, Art. 6) and granted wide operational powers to the commander of CTO, inter alia regarding the duration and means deployed in their course and the restriction of legal rights of persons present in the zone of the CTO (Art. 13), based on overly broad definitions of the target (Petrishchev 2009, 40-41).

Thus, 130-FZ provided a legal framework for coercion that embraced both the judicial and extrajudicial realms, including the military. The comprehensive mobilisation of force, including military, to suppress, pre-empt and punish terrorist activities seems to partially fit Crelinsten's traditional *armed conflict model*. But considering the range of other actors involved, the way in which 130-FZ (1998) interlocks with the UK RF and also the official "no-war" thesis" (Campana and Légaré 2011, 51; III.3.2.3 above), it is more appropriately classified as an *expanded criminal justice model* after Pedazhur and Ranstorp (2001) with a spatially confined *armed conflict paradigm* in the Chechen zone of CTO.

#### **III.4.2.3 Federal Law No. 35-FZ (2006)<sup>300</sup>**

Passed in March 2006, Federal Law No. 35-FZ completely replaced 130-FZ (1998) from January 2007. Among its key innovations were a new definition of terrorism, the expansion of the mandate of the armed forces and security services, the clarification of the institutional counter-terrorism structure and the expansion of the legal framework for CTOs (Beckman 2007, 103-105; Logvinov 2012, 131-150). Most of these points are attributed to the operational, coordination and intelligence failures diagnosed after Beslan, some also to the harmonisation of national law with Russia's international treaty obligations, for instance, the Warsaw Convention (2005) and UNSCR 1624 (2005).<sup>301</sup>

Art. 3(1) of 35-FZ (2006) defines terrorism as:

the ideology of violence and the practice of influencing the adoption of a decision by state power bodies, local self-government bodies or international organisations connected with frightening the population and (or) other forms of unlawful violent actions.

In contrast to Art. 3 of 130-FZ (1998), in referring to the "ideology of violence", the new definition recognises that terrorism is more than a physical phenomenon and singles out the political purpose by eliminating the other two potential purposes from the previous formulation. However, "frightening the population" is not a necessary requirement, and the wording of the phrase is extremely vague (Bridge 2009, 17). The law also fails to define the "ideology of violence", and the ideological component is notably absent from the definition of "terrorist act"

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<sup>300</sup> This subsection is partly based on my comparative legal research project (Korte 2018a; 2018b; 2019b).

<sup>301</sup> (e.g. Abdullaev and Saradzhyan 2006a, 192, 197; Beckman 2007, 102-103; Luchterhandt 2006, 3; Lutsenko 2008, 22, 35-36).

(Art. 3(3)). Although the new definition of “terrorist activity” (Art. 3(2)(f)) peripherally refers to the “popularisation of terrorist ideas” and Art. 3(4)(c) states “reduction to a minimum and (or) liquidation of terrorist manifestations” as an aim of counter-terrorism, this notion of prevention is not referred back to anywhere else in the document (“35-FZ” 2006). So, while Art. 2 promises the prioritisation of prevention, even co-operation with religious associations and the public at large in a new “systematic approach”, such prophylaxis was not legislated let alone implemented at the time (Luchterhandt 2006, 3). Instead, as Logvinov (2012, 137) points out, the law still emphasised a pre-emptive understanding of prevention rather than removal of the underlying causes (see Omelicheva 2009, 4; Pokalova 2015, 174, 180-182).

Based on the relatively vague definitions of “terrorism” and “acts of terrorism”, Articles 6 to 10 (“35-FZ” 2006) regulate the deployment of Russia’s armed forces on Russian territory, in its airspace, inland water and territorial seas as well as their deployment abroad, further extended by governmental decree (“Order No. 352” 2007; see CODEXTER 2008, 2). The legalisation of deployment of Russia’s armed forces and special services in CTO abroad has received much scholarly scrutiny.<sup>302</sup> Yet, it is the fact of their potential combat deployment in the domestic context pursuant to Art. 9(2) that is of significance here because it paved the way for the continued and ongoing use of military force inside zones of CTO.<sup>303</sup>

Art. 5 clarifies the hierarchy of institutions involved in counter-terrorism. It is now headed by the president as opposed to the government under No. 130-FZ (1998, Art. 6) who has the authority to decide on the basic direction of policy and deploys the armed forces. Below him are the newly established National Anti-Terrorist Commission (NAK, established by “PD No. 116” 2006; see “NAK Constitution” 2006) as well as executive bodies of the federal and regional structure, tasked with the regional implementation of the NAK’s guidelines. As, for instance, Beckman (2007, 104-105), Logvinov (2012, 132-133, 139-150, 365-368, 421-422), Luchterhandt (2006, 2-3) and Saradzhyan (2006, 177-179) point out, an important point in this re-shuffling was the combination of legislative, policy-making and implementation competencies in the hands of the FSB by virtue of its premier position in the NAK, yet absent legislative or judicial oversight (see III.5.2.3).

The legal framework for zones of CTO was expanded by Articles 11 to 15 and 17 of 35-FZ (2006). Under Art. 12(1) (“35-FZ” 2006), “the head of the federal executive body in charge of security” is put in charge of calling a CTO; he is also empowered to decide on the territorial extension, time period, composition of forces and extent of rights restrictions applied inside

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<sup>302</sup> (e.g. Abdullaev and Saradzhyan 2006a, 197; Beckman 2007, 103-104; Bridge 2009; Cavaliero 2011).

<sup>303</sup> (e.g. Abdullaev 2005; Beckman 2007, 103-104; Bridge 2009, 26-28; Komissarov and Stepanov-Egiyants 2013, 338-340; Logvinov 2012, 143-146; Pokalova 2011, 161).

(Art. 13; see Logvinov 2012, 146-150). As virtually any scholar<sup>304</sup> who has ever written on that particular law has criticised, these restrictions are highly significant: They encroach upon some of the non-derogable rights under the Russian Constitution without any legal liability on the part of the counter-terrorism operators, who, because old Articles 26 and 27 of 130-FZ (1998) were struck and new Art. 22 (Lawful Infliction of Damage) was added, now operate absent legislative or judicial oversight.

Finally, 35-FZ (2006) also incorporated an amendment to the proscription mechanism for terrorist organisations. Hitherto, according to Art. 25 of No. 130-FZ (1998), the decision to ban an organisation as terrorist and confiscate its property had been made by Russian Federation courts upon prosecutorial application based on the definition of “terrorist organization” set out in Art. 3. Following that procedure, the first list of terrorist organisations was released by the Supreme Court on 14 February 2003, designating 15 organisations as terrorist, including CHRI, Hizb ut-Tahrir, Jamaat-e-Islami, Al Qaeda and a number of well-known international organisations and smaller local organisations active in the North Caucasus (“List of Terrorist Organisations“ 2010). Following the new mechanism, the Supreme Court proscribed Al-Qaeda in the Islamic Maghreb (AQIM) in November 2008 and IK in February 2010 (ibid). The existence of a judicial proscription mechanism fits my classification of the overall approach as an *expanded criminal justice* one following Pedahzur and Ranstorp (2001).

To summarise, the expectation that recognition of the *ideology of violence* as a constitutive part of terrorism and promise of a “systematic approach” in 35-FZ (2006) would herald the immediate advent of ideological prevention was not fulfilled (Logvinov 2012, 137). Instead, coercive measures were extended and the legal framework for zones of CTO expanded to grant the security services maximum flexibility at the expense of civil rights, absent mechanisms of judicial or legislative oversight.<sup>305</sup> Like its predecessor 130-FZ (1998; see Beckman 2007, 99-100), 35-FZ (2006) demonstrates preferential consideration of national security over the right of individual citizens (Guiora 2006, 376-382). Institutionally and per the means it envisages, 35-FZ mandates an *expanded criminal justice approach*: It embeds the deployment of intelligence services and military agents and tactics within a larger *criminal justice* approach to terrorism that is exceptional (i.e. *expanded*) in that national criminal law is expanded to the verge of constitutionality.

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<sup>304</sup> (e.g. Abdullaev and Saradzhyan 2006a, 197-198; HRW 2015b, 24-25; Guiora 2006, 377; Komissarov and Stepanov-Egiyants 2013, 345; Korte 2019b; Logvinov 2012, 132-133, 139-150, 365-368, 421-422; Luchterhandt 2006, 2-3; Saradzhyan and Abdullaev 2005, 126-127).

<sup>305</sup> (e.g. Abdullaev and Saradzhyan 2006a, 197-198; HRW 2015b, 24-25; Guiora 2006, 377; Komissarov and Stepanov-Egiyants 2013, 345; Korte 2019b; Logvinov 2012, 132-133, 139-150, 365-368, 421-422; Luchterhandt 2006, 2-3; Saradzhyan and Abdullaev 2005, 126-127).

### III.4.3 Extremism legislation until 2012

Despite recognition of terrorism as the *ideology of violence* in 35-FZ (2006), the fight against extremism was not integrated with the fight against terrorism until 2012. That is also despite the fact that Federal Law No. 114-FZ (2002, revised in 2008) On Counteraction of Extremist Activity provided a regulatory framework that could have been used to these ends as much as Articles 280, 282.1 and 282 UK RF would have provided for criminal justice tools to curb the spread of ideology (SOVA 2010). However, since the concepts of terrorism and extremism eventually merged as did counter-measures in the communicative and criminal justice realms (III.6-7, e.g. Kostromina 2019b, 9-10), it is useful to briefly recapitulate counter-extremism's prior development.

In July 2002, Russia adopted its first counter-extremism law ("114-FZ" 2002,). In its original version, Art. 1(1) defined "extremism" and "extremist activity" synonymously as "the activity of public and religious associations or any other organisations, or of mass media, or natural persons to plan, organise, prepare and perform the acts aimed at" various effects that harm the basic security, integrity, functions and values of the Russian Federation's political, administrative and legal system. "The exercise of terrorist activity" was the fifth out of nine such activities. Like the definition of terrorism at the time, this definition did not indicate an understanding of extremism as an ideology or body of thought but as a type of activity (Kravchenko, M. 2013; SOVA 2010). No. 114-FZ established judicial mechanisms for prohibiting and curbing the activities of organisations established to engage in such activities and the spread of extremist material (Articles 9 to 11) and for prohibiting extremist content (Art. 13). Thus, No. 114-FZ theoretically created mechanisms to tackle the activities of groups potentially planning terrorist activities or disseminating related information.

The UK RF in its 1996 version did not contain any extremism-related offences. In July 2002, existing Art. 280 was amended and new Articles 282.1 (Organising an Extremist Community) and 282.2 (Organising the Activity of an Extremist Community, "UK RF" (1996) 2012) introduced. Notably, while an individual could be held liable under these, the UK RF did not establish individual criminal liability for extremism as such (SOVA 2010). The extremist crimes in Art. 282.1(1) did not refer to any of the terrorist offences at the time pursuant to Art. 3 of No. 130-FZ (1998), indicating that the legislator did not intend for the use of Art. 282.1 to curb organisation of and participation in terrorist communities.

Federal Law No. 114-FZ (2002) was amended several times between 2006 and 2008 (SOVA 2010; Verkhovsky 2010; Verkhovsky and Kozhevnikova 2009). In the new version ("114-FZ" 2002 (2008); after "211-FZ" 2007) the definition of extremism and extremist activity no longer referred to general planning of, preparation of or engagement in activities but instead listed the activities as such (CEP 2018, 14; Roudik 2015; Verkhovsky 2018, 15-16). "Public justification of terrorism and other terrorist activity" was now second on that list (Art. 1(1) "114-

FZ“ 2002 (2008)) so that extremism at least on paper became a concept that included terrorism (see Roudik 2015). The proscription of the first three Islamic religious organisations as extremist between April 2008 and May 2009 (Verkhovsky and Kozhevnikova 2009) seems to indicate that policy-wise a shift was under way towards using counter-extremism tools for counter-terrorism purposes (III.6.4.3, e.g. Kostromina 2019b, 9-10). Before, the list had been dominated by nationalist and Slavic cult movements ("List of Extremist Organisations“ 2010; Verkhovsky 2010)

### **III.4.4 Integrating the struggle against terrorism and extremism (2012-2014)**

#### **III.4.4.1 Administrative measures and proscription of content until 2012<sup>306</sup>**

Although public justification of extremism and terrorism had already become offences (Articles 205.2 and 280 UK RF) and subject to interception under special laws 130-FZ (1998), 114-FZ (2002/2008) and 35-FZ (2006), surveillance and censorship of material online only began with the introduction of the Registry of Banned Information in 2007.<sup>307</sup> Statue 228 of March 2009 set up the Federal Service for Supervision of Communications, Information Technology and Mass Media ("Statute of Roskomnadzor“ 2009 (2014)). Its purpose is inter alia to prevent the use of mass media – including the internet – for advocacy of terrorism and extremism and the distribution of related material ("Mass Media Control and Supervision“ 2014). To this end, it oversees the technical management of the internet, including registration of communications and internet service providers (ISP) and of IP addresses as well as content monitoring. If content is evaluated as harmful or extremist, Roskomnadzor issues a notice to website owners, hosts or ISP who have three days to either block access, remove the content or else are forced to shut down the site.<sup>308</sup> The aggregation of supervisory functions with respect to extremist and terrorist material was effectuated by the July 2012 Registry of Prohibited Information Law which created the so-called “Unified Register of Domain Names, Internet Website Page Locators and Network Addresses that Allow to Identify Internet Websites Containing Information Prohibited for Distribution in the Russian Federation” (the “Unified Register”); implemented since November 2012, its purpose was to allow blocking or taking down sites that host such content.<sup>309</sup> Although the blacklist’s primary purpose was “to protect children from harmful internet content”,<sup>310</sup> the larger amendments to the administrative framework it came with were the first legal steps to prevent the spread of ideology outside of the coercive means contained in criminal or administrative law. SOVA (2010) already noted this point to have been intended by lawmakers but not efficiently implemented, and Baev (2018, 14-15) finds it to indicate a likening to terrorism in terms of seriousness.

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<sup>306</sup> This subsection is partly based on my legal research project (Korte 2018a; 2018b; 2019b) and on Korte (2019a).

<sup>307</sup> (e.g. Ermoshina and Musiani 2017, 43, 47; Soldatov 2017, 40-41; Yudina 2016, 13).

<sup>308</sup> (BBC 2012; Bigg 2012; Cross 2013, 14; Kravchenko, M. 2013; Yudina 2016, 13-14).

<sup>309</sup> (Bigg 2012; Borogan and Soldatov 2013; Cross 2013, 14; Ermoshina and Musiani 2017, 43; Kravchenko, M. 2013; Nocetti 2015, 3-4; RT 2012; Soldatov 2017, 40-41; Yudina 2016, 13-14).

<sup>310</sup> (BBC 2012; see e.g. Bigg 2012; Cross 2013, 15; Nocetti 2015, 3-4).

#### III.4.4.2 *Prevention through amendments to the UK RF and 35-FZ (2013-2014)*<sup>311</sup>

Legislation passed in 2013 and 2014 marked the second step in predating individual liability for the prevention of terrorism after introduction of the first preparatory offences in July 2006 (Kostromina 2018, 6, 8). Federal Law No. 302-FZ of November 2013 introduced three new articles. New Art. 205.3 penalises broadly conceived terrorist training that includes, for instance, psychological training.<sup>312</sup> New Art. 205.5 criminalises organisation of (1) and participation in (2) the activities of a terrorist *organisation*, which refers to proscribed organisations with a relatively high organisational threshold.<sup>313</sup> By contrast, Art. 205.4 prohibits the organisation of a terrorist *community* and participation in it whereby *communities* are below the organisational threshold of Art. 205.5, and do not intend to actually commit acts of terrorism or currently only propagate it as an ideology (Kravchenko, M. 2014; RFE/RL 2013f). Meanwhile, Art. 205.5 provides for higher punishment than the previously applicable extremism-related offences, leveraging the preventive capacity of law enforcement (Kostromina 2019a, 2-3; Kravchenko, M. 2014; RFE/RL 2013f). Finally, the same bill also penalised Russian citizens' participation in anti-government fighting abroad (new Art. 208(2) UK RF; Stepanova 2015; USDOS 2014, 111).

Changes to the criminal law framework in 2014 ("179-FZ" 2014; "5-FZ" 2014; "130-FZ" 2014) included the listing of the internet as a medium on which the dissemination of public appeal to extremism is an offence (Art. 280(2)) and the extension of Art. 282.1 from organisations proscribed in court to extremist *communities*, removing the proscription requirement, thus facilitating the liquidation of such communities similarly to Art. 205.4.<sup>314</sup> In that context, it is noteworthy that the maximum terms for all three of the extremism-related crimes were raised so they are now moderate or severe rather than minor offences (Kostromina 2019a, 7; Kravchenko, M. 2014; 2015). Finally, Art. 282.3 was introduced to criminalise the financing of extremist crimes or organisations ("179-FZ" 2014; Kravchenko, M. 2015). These changes effectuated a broadening of the criminal justice repertoire with respect to terrorism and extremism inside what I classify as an *expanded criminal justice* model following Pedahzur and Ranstorp (2001).

#### III.4.4.3 *Expansion of the administrative framework (2014)*<sup>315</sup>

In 2014, far-reaching changes were made to the administrative and regulatory framework for intercepting the dissemination of extremist and terrorist material online. These changes have been understood as inspired by several factors: the revelations of Edward Snowden about weaknesses in the US system of surveillance, the role online social networks' dynamics played

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<sup>311</sup> This subsection is partly based on Korte (2018a; 2019a; 2019b).

<sup>312</sup> ("302-FZ" 2013; Galeotti 2014, 18; HRW 2015b, 23-24; Kostromina 2018, 6; Kravchenko, M. 2014).

<sup>313</sup> ("302-FZ" 2013; Kostromina 2018, 6; Kravchenko, M. 2014; RFE/RL 2013f).

<sup>314</sup> (Kostromina 2019b, 3; Kravchenko, M. 2014; 2015; Roudik 2015).

<sup>315</sup> This subsection is partly based on Korte (2019a).

in the Arab Spring and as a reaction to public outcries about the blocking of YouTube in several North Caucasus republics following the appearance of a video titled “the innocence of Muslims”.<sup>316</sup> Early that year, a fourth list was added to the blacklists maintained by Roskomnadzor’s existing three, containing sites that inter alia incite terrorist activity; these can be blocked at the request of the prosecutor general pursuant to a mechanism introduced by Lugovoy’s Law in late 2013.<sup>317</sup> Legislation passed in May imposes on ISPs obligations to register with Roskomnadzor and store certain types of data as well as the registration of blogs with more than 3,000 daily visitors (Kravchenko, M. 2015; Maréchal 2017, 32; Soldatov 2017, 46, 51). The Data Localisation Law required that by September 2015 all data created by and pertaining to Russian users be stored on servers inside the Russian Federation, at the threat of suspension.<sup>318</sup> Together, these innovations approach surveillance and elimination of terrorist or extremist content through an indirect approach that Ermoshina and Musiani (2017, 42, following DeNardis and Musiani 2016) call “governance by infrastructure”. By imposing responsibility for compliance and removal of blacklisted content and pages on intermediaries such as operators, ISPs and web hosts – “intermediary liability” (Maréchal 2017, 31-32, 34-35, following MacKinnon et al. 2014) – this has facilitated abstention from the criminal justice coercion of individuals for terrorism- and extremism-related discursive activities and reliance on the imposition of corporate responsibility through administrative regulations instead (Soldatov 2017, 52-53; Yudina 2016).

#### III.4.5 The Yarovaya legal package (2016)<sup>319</sup>

The July 2016 Yarovaya legal package consisting of Federal Laws No. 374-FZ and 375-FZ was extremely significant in terms of counter-terrorism. Important areas of coverage are the extension of criminal liability for terrorism- and extremism-related activities under the UK RF, the administrative regulation of information traffic and amendments to the Laws on Religious Organisations.<sup>320</sup> The Yarovaya Laws’ relevance for my research lies in the scope they broadened for the lawful utilisation of criminal justice tools to predate criminal liability and thus prevent terrorism within the criminal justice sector as well as in the legal bolstering of regulatory functions outside of it. That includes the addition of Articles 5.1 and 5.2 to 35-FZ (2006) to enlist lower levels of government into ideological prevention efforts relevant to the both target- and actor-centric components of communicative counter-terrorism (II.3.6 /III.7), a fact that seems to have gone unnoticed by critics of the package.

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<sup>316</sup> (e.g. Blank 2012, 26-28; Borogan and Soldatov 2013; Cross 2013, 4, 6-7, 19; Ermoshina and Musiani 2017, 46, 49; Maréchal 2017, 33-35; Nocetti 2015; Soldatov 2017, 43-44).

<sup>317</sup> (Ermoshina and Musiani 2017, 47; Kravchenko, M. 2014; 2015; Nocetti 2015, 4; Soldatov 2017, 40; Yudina 2016, 14).

<sup>318</sup> (Ermoshina and Musiani 2017, 46; see Maréchal 2017, 33-34; Nocetti 2015, 5-6; Soldatov 2017, 51-53).

<sup>319</sup> This subsection is partly based on my legal research project (Korte 2018a; 2018b; 2019b) and on Korte (2019a).

<sup>320</sup> (Eckel 2016; ICNL 2016; Kravchenko, M. 2017; Roudik 2016b; Seddon 2016). However, since, as M. Kravchenko (2017) and USCIRF (2016) point out, the amendments to the Law on Religious Organisations mostly affected cult-movements, Protestants and Hare-Krishnans, they are of little relevance to my analysis.



No. 375-FZ toughened the penalties for a number of criminal offences (both terrorism- and extremism-related) and lowered the minimum age of criminal liability from 17 to 14 years (e.g. Articles, 205.3, 205.4(2), 208(2) and 205.6).<sup>321</sup> Especially Art. 205.6 (Failure to Report a Crime) has come under criticism.<sup>322</sup> Art. 205.2 was extended to include advocacy of terrorism on social and mass media and “Act of International Terrorism” introduced as a separate crime (Art. 361 UK RF).<sup>323</sup> Interestingly, some of the most controversial elements were struck from the proposal at the last minute: the revocation of citizenship for foreign fighters or yet broader offence definitions that would have eased crackdowns on dissidents and opposition (Kravchenko, M. 2017; Seddon 2016). While, for instance, Kostromina (2019b, 9) criticises that these changes “finally removed the boundaries between extremism and terrorism” (see RFE/RL 2016b), I take a more positive stance in finding them to be indicative of a final recognition of the significance of extremist ideology and its spread in the prevention of terrorism.

In the realm of information traffic, the Yarovaya package’s amendments, according to the Kremlin’s official press release,

establish the right of federal executive bodies responsible for security and the [...] Russian Federation Foreign Intelligence Service to receive for free information systems and (or) data bases from state bodies and state extra-budgetary funds, and set additional demands on telecommunications providers and organisers of information dissemination in the internet. (Kremlin 2016a)

For all types of data transmitted, they require communications providers and ISPs to retain the content for up to six months and metadata for between one and three years, depending on the medium of transmission.<sup>324</sup> Upon request by the FSB, they have to supply the encryption keys and verify the identity of anonymous users within 15 days.<sup>325</sup> Apps and providers that use encryption have been obliged to create “backdoors” in the software code for providers to access content upon request of the security service (Ermoshina and Musiani 2017, 46; Seddon 2016). Criticism of the provisions for infringements on rights (individual and corporate) and practicality are relevant here only in as much as much of the required technology was not yet on the market, particularly concerning decryption tools, which has reportedly hampered implementation.<sup>326</sup>

Finally, No. 35-FZ (2006), which continues to form the baseline for all kinds of counter-terrorism activities, was amended to establish an obligation for regional, republican and local

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<sup>321</sup> (“375-FZ” 2016; ICNL 2016, 3-4; Kostromina 2018, 7; Kremlin 2016b).

<sup>322</sup> (e.g. Borshchevskaya 2016; Eckel 2016; ICNL 2016, 3-4; Kravchenko, M. 2017; Mazurova 2016, 4; Seddon 2016).

<sup>323</sup> (ICNL 2016, 4-5; Kostromina 2018, 7; 2019b, 5; RAPSİ 2016b; Roudik 2016c; Sinelschtschikowa 2016).

<sup>324</sup> (e.g. Ermoshina and Musiani 2017, 45-46; Golovanova 2016; ICNL 2016, 6-8; Kremlin 2016a; Roudik 2016a; Stratfor 2017f).

<sup>325</sup> (ibid)

<sup>326</sup> (e.g. Ermoshina and Musiana 2017, 45; ICNL 2016, 2; Maréchal 2017, 34; RFE/RL 2016a; Stratfor 2017e).

authorities to engage in ideological prevention under new Articles 5(1) and 5(2). This is relevant to communicative counter-terrorism in both the actor-centric and target-centric dimensions (III.7 below), completing the communicative turn initiated by Medvedev in 2009.

#### III.4.6 Summary of the legal framework<sup>327</sup>

As this section has shown, the Russian legal framework for counter-terrorism has developed in five core areas:

- (i) Penalisation of terrorism- and
- (ii) extremism-related offences in the UK RF, merged into an integrated approach from 2012;
- (iii) the expansion of the basis for the extrajudicial use of force under 130-FZ (1998) and 35-FZ (2006);
- (iv) the establishment of an administrative framework to curb the activities of terrorist, extremist and religious communities and organisations and the dissemination of extremist material online;
- (v) most recently, the legal enlistment of lower levels of government into prevention.

The development of counter-terrorism specific legislation is both a baseline for and in line with the general broadening of counter-terrorism strategy to focus on the communicative and ideological aspects of terrorism and extremism beginning in 2009, although 35-FZ (2006) would have indicated that to be the case earlier. This has also meant the expansion of non-coercive means (legal and other) of interception.

Under the UK RF, the expansion and predating of criminal liability was a gradual process that began with Contributing to Terrorist Activity in 2002 (Art. 205.1) and extended to Public Calls for Committing of Terrorist Activity or Public Justification of Terrorism in 2006 (Art. 205.2 "UK RF" (1996) 2012; III.4.2.1). Since the amendment of the definition of terrorism to include the *ideology of violence* and to constitute an explicitly political crime by 35-FZ in 2006 (III.4.2.3) and after the revision of the definition of "extremism" under revised 114-FZ (2008), terrorism-related criminal liability has been further expanded and predated so that the UK RF's extremism-related offences have become relevant for criminally preventing the spread of terrorism, particularly since 2013 (see III.4.3-4/III.6, e.g. Kravchenko, M. 2014). These offences offer a growing repertoire of criminal justice tools for the prevention of terrorist activity by penalising individual and communal preparatory activities. As such, they are core components of the *criminal justice* part of a legal framework consistent with Pedahzur and Ranstorp's (2001) *expanded criminal justice model*.

Counter-terrorism and counter-extremism legislation have also amended the administrative framework for proscribing and liquidating terrorist and extremist organisations before the UK

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<sup>327</sup> Based on the entire section, this subsection contains similarities with Korte (2018a; 2018b; 2019a; 2019b).

RF becomes relevant and to curb the publication and transmission of extremist material online, with the most significant steps in 2012 and 2016 (III.4.4, e.g. Yudina 2016). For this research project, the fact of and changes to the administrative framework have the following significance. They followed the recognition of the importance of ideology in terrorism's genesis and have contributed to the implementation a broad communicative counter-terrorism strategy, specifically in the actor-centric realm (III.7). They also illustrate that the *regulatory environment* (from Jungherr et al. 2019, 14-15) is not a stable factor defining governmental discursive power such that it constantly restrains or facilitates the implementation of communicative counter-terrorism (II.5.8). Instead, it is seen as epiphenomenal to communicative counter-terrorism in that the administrative framework has been subjected to changes justified by the need to curb the spread of ideology in the online communication space, while this also leverages governmental discursive power as an asset more broadly (III.7.4, e.g. Ermoshina and Musiani 2017, 42). Third, approaching the spread of ideology through a mix of "governance by infrastructure" (ibid) and "intermediary liability" (Maréchal 2017, 31-32, 34-35) has allowed the government to rely on means other than individual criminal liability for curbing the spread of terrorist and extremist ideology (III.4.4).

Finally, 130-FZ (1998) and 35-FZ (2006) have established a firm legal basis for the deployment of security services and armed forces in the counter-terrorism context, witnessed in Chechnya between 1999 and 2001 as well as in other locales more sporadically, sometimes fitting better with Crelinsten's (1998; 2014) traditional *armed conflict paradigm*. It is the application of extrajudicial force and internal deployment of the military on combat missions in parallel to said criminal justice tools as much as the identities and prerogatives of the other agencies involved that lead me to classify the larger Russian approach to coercion as an *expanded criminal justice* one by the standards of Pedahzur and Ranstorp (2001). The reservations Logvinov (2012, 132-133, 139-150, 365-368, 421-422) expresses regarding lack of oversight and exceptionality of the "legal regime of the zones of CTO" (*Rechtsregime der kontraterroristischen Operation*; at III.4.2.3) equally point in the direction of said paradigm. Yet, just discussed non-coercive means enshrined in the law indicate the development towards a broader counter-terrorism strategy that embraces non-coercive means in contrast to the Paradigm's proposed characteristic of uniform coercion.

### **III.5 Counter-terrorism institutions, counter-terrorism and other institutions**

#### **III.5.1 Institutions, counter-terrorism and counter-terrorism institutions**

This section presents the development of the institutional structure for counter-terrorism policy and implementation (III.5.2), the assignment of responsibilities for the geographic areas affected and related policy areas and the development of the larger institutional structure in relation to counter-terrorism (III.5.3). This is first and foremost to answer the question whether the structure of counter-terrorism institutions reflects the relations of what Albrecht and

Frankenberger (2010b) refer to as *exclusive responsiveness* (II.5.5.2). At the face of it, the assignment of authority over time has reflected counter-terrorism policy priorities of the day in assigning competencies, for instance, to the FSB or in setting up Roskomnadzor. Yet, the assignment of competencies and the design of the counter-terrorism bureaucracy not only reflect considerations of counter-terrorism's efficacy but indeed relationships of *exclusive responsiveness*. Moreover, the counter-terrorism structure, assignment of policy responsibility and personnel policy in counter-terrorism relevant fields have in and of themselves fulfilled legitimating functions by institutionalising such *exclusive responsiveness*. They have also served as avenues of co-optation – co-optation of both potential challengers inside the federal political system *and* of people whom Putin had in 1999 labelled “terrorists”. For the latter, the process of Chechenisation from 2002 holds several examples: that of Ahmed Kadyrov the father and that of the Kadyrovsky – amnestied rebels – as Chechnya's primary security force (III.5.2.2, e.g. Pokalova 2015, 109, 131-132, 179-180). Beyond the federal counter-terrorism bureaucracy and its connection to governmental legitimacy, the larger Russian political system itself has undergone significant changes, rhetorically justified by Putin with the need for “unity” already cited at III.3.2.4 (III.5.3.1, e.g. Lemaître 2006, 370, 410).

### III.5.2 Counter-terrorism institutions

#### III.5.2.1 Federal institutions involved in counter-terrorism prior to 2006

Security policy is generally developed by Russia's National Security Council (NSC). Set up in 1992, the NSC is formed by the president, who also chairs it, and whom it advises (“Security Council Structure“ 2019). The NSC brings together all of the national security stakeholders (permanent members are ministers of defence, security, foreign affairs, interior, directors of the intelligence services, chairman of the Federation Council and State Duma speaker) and also prepares Russia's security doctrines (Kryshtanovskaya and White 2003, 295-299; Plater-Zyberk 2014, 9-10). Specific expertise and policy authority concerning counter-terrorism have long sat with the Federal Anti-Terrorist Commission (FATC), formed in 1998 and replaced by the National Anti-Terrorist Commission (NAK) in 2006. The FATC's predecessor organisation, the Interdepartmental Anti-Terrorist Commission (IATC), was created in January 1997 as a late response to the Budyonnovsk hospital hostage-taking in 1995 (“GR No. 45” 1997“; “IATC Statute” 1997, §3). In the meantime, the FSB had already established a counter-terrorism centre of its own and, following the creation of the IATC, that became the IATC's central pillar.<sup>328</sup>

No. 130-FZ of July 1998 and Presidential Decree No. 1305 of November 1998 altered the institutional structure and hierarchy by drawing a range of new actors into counter-terrorism, putting the executive in charge and replacing the old IATC with a new Federal Anti-Terrorist

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<sup>328</sup> (“IATC Statute, 1997“ ; Luchterhandt 2006, 2; Petrishchev 2009, 40; Rykhtik 2006, 172; Soldatov and Borogan 2005, 3).

Commission (FATC). Policy authority was placed in the hands of the president and the government and operational authority in the hands of the regional heads of security services ("130-FZ" 1998, Articles 6, 10). Under the new system, there were regional ATCs subordinate to the FATC, and the FATC director was the prime minister ("FATC Statute" 1998; "GR No. 1302" 1998). The FATC was similar to the IATC in its functions and composition except that it was now headed by the elected executive and per Articles 26 and 27 ("130-FZ" 1998) subject to governmental and judicial oversight.

### **III.5.2.2 The CTO in Chechnya: Federal forces and the Kadyrovsky**

During the Chechen CTO's phase of full-scale combat (1999-2000), the main actors were ministry of interior (MVD) and foreign ministry (MO) brigades, together amounting to 110,000 boots on the ground.<sup>329</sup> In October 2000, Putin (not for the last time) declared the military phase to be over, and in January 2001, operational authority was transferred from the MO to the FSB, marking the "shift from full-fledged warfare to a low-intensity counter-terrorist mission" (Kramer 2005, 12).<sup>330</sup> In July 2002, General Moltenskoï announced plans for a phased withdrawal of parts of the 80,000 boots on the ground at the time (JID 2002a; JTSM 2002, 9; Orr 2002, 32), reiterated and specified to a target presence of 20,000 around the Chechen constitutional referendum in March 2003 (Galeotti 2003c, 52; Gorka 2003b, 6; Makarenko 2003, 26). In July 2003, operational authority was passed on to the MVD, seen as another milestone in scaling down the tactical involvement (Galeotti 2003a; Kramer, M. 2005, 9, 12-13; 2007, 3). Other forces stationed in Chechnya were the Special Operations Police Detachments (OMON), FSB special operations forces including the special tactical Alpha and Vypmel units and various FSB, GRU and SVR intelligence units.<sup>331</sup> These special forces and intelligence services were long considered so quintessential to stabilisation that Smirnov (2008a) calls them "the backbone of Russian rule in the Caucasus". Their general involvement as well as the shift of command functions away from the military in 2001 is consistent with Pedahzur and Ranstorp's (2001) *expanded criminal justice model*.

Next to the activities of federal armed forces and security services, the CTO in Chechnya was characterised by a special feature, namely the co-optation, training and integration of former militants as ethnic-based units in the local and federal security forces, most prominently the Kadyrovsky. They started out as a private militia run by Ahmad Kadyrov's son, later President Ramzan Kadyrov, headquartered in Tsenteroi, and were estimated at around 4,000 men in 2004 and 5,000 to 6,000 in 2008.<sup>332</sup> The force was born out of a series of amnesties, most

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<sup>329</sup> (numbers from Thomas 2000, 50; see Blank 2000, 26-27; Scott 2001a; Scott 2001b, 10; Stepashin 2000).

<sup>330</sup> (see Galeotti 2001a, 9; 2001b; 2004a, 16; JID 2001c; JWIT 2015a, 597; Kramer, M. 2007, 3).

<sup>331</sup> (Kramer, M. 2005, 14; Soldatov and Borogan 2005, 8-10; Trifanov 2006, 35-36; Vatchagaev 2008a; Vorobyov and Kiselev 2006a, 29).

<sup>332</sup> (Fuller, L. 2008; Galeotti 2004b, 54; JID 2008; Mite 2004).

notably in December 1999, June 2003 and September 2006.<sup>333</sup> Scholars widely consider the Kadyrovsky to be one if not the ultimate success factor<sup>334</sup> for pacifying Chechnya in part because the policy of Chechenisation transferred vital governance functions as well as the respective responsibility for their success or failure back to Grosny and permitted for the eventual scaling down of the over 40,000 MVD and MO boots on the ground in the republic at the end of the CTO in spring 2009.<sup>335</sup> As far as the Kadyrovskys' contribution is concerned, a quantitative study by Jason Lyall (2010a) and ethnographic research by Emil Souleimanov (2015; 2017, 218-219) demonstrate how co-ethnic Chechens contributed their cultural knowledge, ability to gather information and, as co-opted insurgents, insider information, to more effective and precise targeting.<sup>336</sup> Research by Souleimanov and Aliyev (2015; 2016, 402-403) also points to the adherence to an honour code (*adat*) and “the implementation of the principle of collective guilt” by the Kadyrov government as well as the insurgents as success factors.<sup>337</sup> Summarily, these amnesties constituted a form of what I have theorised as selective conciliation of parts of the insurgent (“terrorist”) movement (Pokalova 2015, 109: “co-opting the Chechen movement”), splitting it organisationally and thus undermining its cohesion, following a strategy of “divide and rule” (Gilligan 2010, 83-85)<sup>338</sup> in line with the expectations concerning the manipulation of group-internal dynamics articulated based on, e.g. Dixon (2015, 191) and Sederberg (1995). Two other examples of local co-ethnic forces are the MO’s special forces battalions Vostok and Zapad, both manned with ethnic Chechens, Vostok being the former 2<sup>nd</sup> battalion of CHRI National Guard under the command of Sulim Yamadaev, collectively placed under GRU command in 2003.<sup>339</sup> Yet, the Kadyrovsky are the better example of an authoritarian government’s ability and willingness to conciliate, even to the extent of process-based structural concessions (III.8 below).

### III.5.2.3 Beslan (2004) and the new NAK (2006)

The escalation of the Beslan crisis in 2004 marked failures on the operational and intelligence fronts. For instance, when the school was stormed, some of the special forces were miles from the scene training for the storming, and the Alpha and Vypfel units took immense casualties.<sup>340</sup> Even Putin (2004a) acknowledged those failures: “We showed ourselves to be weak. And the weak get beaten”, proposing to reform the counter-terrorism bureaucracy and

<sup>333</sup> (e.g. Aliev 2006b; Fuller, L. 2004a; 2008; Gilligan 2010, 84; JTSM 2006b; Matveeva 2007, 14; Pokalova 2015, 109, 131, 134; 2017, 617-618; Souleimanov 2015, 104-110; Souleimanov and Aliyev 2016, 399-400).

<sup>334</sup> (e.g. Cornell 2012, 143; Dannreuther and March 2008, 104-105; Lyall 2010a; Miakinkov 2011, 664; O’Loughlin and Witmer 2011, 191; 2012, 2387-2388; Pokalova 2015, 179-180; Souleimanov 2015; Souleimanov and Aliyev 2016).

<sup>335</sup> (e.g. Cornell 2012, 137-138; Dannreuther and March 2008, 103; Fuller 2008; Gorka 2004a, 2; Herd et al. 2008, 95-96; JCRDR 2009b; 2009c; JIAA 2006; Koehler et al. 2016; Pokalova 2015, 130-131; 2017, 617-618).

<sup>336</sup> (see Gilligan 2010, 84-85; Souleimanov and Aliyev 2015; 2016; Souleimanov and Ehrmann 2012, 73).

<sup>337</sup> (see Souleimanov 2015; 2017, 219-220).

<sup>338</sup> (see e.g. Kim and Blank 2013, 924-925; Koehler et al. 2016; Pokalova 2015, 109, 138, 174, 179-180; 2017, 617-618; Souleimanov 2015).

<sup>339</sup> (JID 2008; 2009a; 2009b; Lyall 2010a, 3; Pokalova 2015, 132; Soldatov and Borogan 2005, 8; Trifanov 2006, 36).

<sup>340</sup> (Cherkasov 2006; Fuller, L. 2004b; Galeotti 2004a, 15; Gorka 2004a; Soldatov and Borogan *n.d.*; Stratfor 2005).

operational infrastructure by “creat[ing] an effective anti-crisis management system” through No. 35-FZ in 2006. The law lists among its principles in Art. 2(8) “undivided authority”, implemented by assigning the principal policy authority to the president and the responsibility for implementation to the government and the newly formed National Anti-Terrorist Commission (NAK) (“35-FZ” 2006, Articles 5, 12 to 17). The NAK was created by presidential decree to replace the FATC in February 2006 (“PD No. 116” 2006; Saradzhyan 2006, 177). Its key tasks are the development of counter-terrorism measures, preparation of policy and legislative proposals, participation in international cooperation and coordination of counter-terrorism activities across the agencies involved (“NAK Constitution” 2006, 4). For CTOs, a new system of federal and regional operational staffs (OS) was created with parallel hierarchies to the federal and regional anti-terrorism commissions.<sup>341</sup> The NAK is headed by the FSB head, regional AKs are headed by regional governors, and OS are always headed by the local FSB chiefs.<sup>342</sup>

Probably the single most significant feature of the NAK, at least taken by the frequency with which scholars point to this development, is the premium position the FSB has acquired therein: Inside it, the political ministries – MVD and MO – were strictly subordinated to the command of the FSB with its chief ex officio also being the NAK chief.<sup>343</sup> The FSB’s role had already previously been enhanced by absorption of the Federal Border Service and the Federal Agency for Government Communications and Information (FAPSI) in March 2003.<sup>344</sup> The FSB also gained bureaucratic weight hiring an additional 300 staff for the new commission whereas, for example, the Federal Guard Service only got to hire an additional seven, and the FSB also received an influx of cash (Baev 2006b, 6; Saradzhyan 2006, 178). Furthermore, through the NAK, the FSB leadership assumed the power to draft counter-terrorism legislation and policy proposals while also overseeing their operational implementation (Saradzhyan 2006, 177-180). It also assumed additional functions from the presidential envoy for international co-operation in counter-terrorism, granting an intelligence-service led committee autonomous room to manoeuvre in foreign policy (ibid). This summarily created a situation in which, by virtue of dominating the NAK, the FSB, an intelligence service without electoral legitimation was granted a mixture of authorities and rights otherwise spread horizontally across branches of government, without legislative and judicial oversight, most apparent in the legal framework for CTOs.<sup>345</sup>

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<sup>341</sup> (Logvinov 2012, 140-143; Luchterhandt 2006, 2-3; Plater-Zyberk 2014, 11-13; Plotnikov 2011; Saradzhyan 2006, 177-180, cf. for the previous system 176-177).

<sup>342</sup> (ibid)

<sup>343</sup> (Baev 2004b, 341-343; 2006a, 3; 2006b, 6; Galeotti 2006a, 49; Luchterhandt 2006, 2-3; Plater-Zyberk 2014, 11-13; Saradzhyan 2006, 177-178).

<sup>344</sup> (Baev 2004b, 342; 2006b, 6; Galeotti 2003b; 2003d, 52; Kryshtanovskaya and White 2003, 303).

<sup>345</sup> (HRW 2015b, 24-25; Kahn 2008, 529-530; Korte 2019b; Logvinov 2012, 132-133, 146-150, 366-368, 421-422; see III.4.2.3 above)

That empowerment seems to have little to do with subject-matter expertise. The FSB was certainly among the most experienced agencies in the field, having inherited the KGB's directorates for ideological questions and counter-espionage, having been the first agency to establish a counter-terrorism centre in 1995 (III.5.2.1) and, according to Saradzhyan (2006, 178), having "traditionally performed better than the Interior Ministry and other law-enforcement agencies when it comes to domestic intelligence, analysis, and covert operations" (see Omelicheva 2009, 5-6; Rykhtik 2006, 172). On the other hand, it had not excelled in Chechnya when it was in command there between January 2001 and July 2003, and by 2006, the MO and MVD had their own specialised tactical units (Galeotti 2004a, 16-17). More plausible than the FSB's experience and – contested – expertise in counter-terrorism is an argument that Baev (2004a, 4-6; 2004b, 341-343; 2006b, 6, 8-10) has advanced several times: that Putin has used counter-terrorism as a vehicle for consolidating the influence of his primary support constituency (the FSB) in the system. To this day, the FSB continues to be the primary federal agent entrusted with counter-terrorism, and this role has increased further through the enhancement of its surveillance capabilities (III.5.2.6). Considering said far-reaching operational, policy and implementation competencies absent legal, judicial or executive oversight and the leverage the FSB has gained over other actors through the NAK, the impression is that the new counter-terrorism institutional structure did not only reflect what Albrecht and Frankenberger (2010b) refer to as relations of *exclusive responsiveness* characterising the Russian system of power relations under his rule as proposed II.5.5.2. It also seems to have institutionalised the relationship of one of his primary support constituencies as a credible promise of further influence into the future, further aiding his personal legitimacy in his function as a leader.

#### **III.5.2.4 Rosgvardia (National Guard Service)**

The National Guard Service (Rosgvardia) was created by executive order on 5 April 2016, with "participation in countering terrorism and extremism" among its primary tasks ("Executive Order on Federal National Guard Service" 2016). Rosgvardia is under the auspices of the MVD but commanded by the president. It has absorbed the MVD's troops, including its specialised counter-terror, SOBR and OMON units (at 5,200 and 40,000 officers respectively) as well as 200,000 Okhrana employees, previously outsourced by the MVD as a private military company, to form a total force of over 350,000 (Baev 2018, 10; Galeotti 2017a, 37, 40; 2017b). The director of Rosgvardia is Viktor Zolotov, a confidante of Putin from St. Petersburg with extensive security service experience who had previously headed the Presidential Security Service (ibid and also Petrov 2016; RT 2016; Torbakov 2017). Rosgvardia's construction has been understood for it to function as a protector of stability after the administration began to face mass unrest beginning with public protests in 2011.<sup>346</sup> As part of the Yarovaya package

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<sup>346</sup> (Baev 2018, 14-16; Galeotti 2016a, 11; 2017a, 37, 40; Matthews 2017; Torbakov 2017; USDOS 2017, 149).



in July 2016, 374-FZ amended 35-FZ to include Rosgvardia as a combat force in CTOs, and reports of such involvement have emerged regularly since ("Expanded Meeting of Interior Ministry Board" 2018; USDOS 2018, 107). Accordingly, Galeotti's (2016b; 2017b) observation of Rosgvardia as another institutional "counterweight" – here to the FSB – is credible and seen to play out in both the operational-tactical and cyber-realm of counter-terrorism. This reinforces the impression already made with the FSB in the NAK: that counter-terrorism institutions are not just locations of subject-matter expertise and reflect or institutionalise what Albrecht and Frankenberger refer to as relations of *exclusive responsiveness*. They also serve to stabilise a given distribution of power through balancing competing actors in the system. Baev (e.g. 2004a, 4-7) makes that point several times, beginning with the commencement of the Chechen CTO in 1999, the reforms to the structure of the federal regions and personnel policy in 2004 (2004b, 341-343) and recently on Rosgvardia (2018, 9-10).

### III.5.2.5 Roskomnadzor<sup>347</sup>

As stated at III.4.4.1 above, Roskomnadzor, the Russian internet watchdog established in March 2009, plays an important role in governing access to and monitoring content on the RuNet. Per its statute ("Statute of Roskomnadzor" 2009 (2014)): its primary responsibilities being the registration of communications providers, ISPs and mass media, including since 2014 bloggers, monitoring their compliance with legal obligations, particularly concerning personal data processing and data localisation but also maintenance of the Unified Register and ensuring compliance with it. This sets Roskomnadzor up as a lever of governmental discursive power in the online communication space, *prima facie* to the effect of curbing the "dissemination of terrorist ideology" in the sense of the CCT (2009, 15). Yet while the instalment of tighter control has, to a substantial part, been logically justified by the need to combat extremist and terrorist ideology and outreach - for instance, meeting the use of social media by IK and IS, the latter of which began to reach out to a Russophile target audience before the 2014 Olympics<sup>348</sup> – said efforts have also been somewhat useful in attaining so-called "digital sovereignty".<sup>349</sup>

As cited authors also note, both the threat perception and the according reaction go back to the Information Security Doctrine in 2000 with its concept of *information security*. The latter is much broader than US or European notions of *cyber security* in its extension to subsume "national interests in the information sphere" as well as "the preservation and reinforcement of the moral values of society, traditions of patriotism and humanism and the cultural and scientific potential of the country" ("ISC" 2000, I.1) as components of a national security

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<sup>347</sup> This subsection is partly based on Korte (2019a).

<sup>348</sup> (Ratelle and Sokirianskaia 2018; see e.g. JIR 2016b, 18-19; 2017b, 15; 2017c).

<sup>349</sup> (Blank 2012, 27-28; Cross 2013; Ermoshina and Musiani 2017, 42; Maréchal 2017, 29, 38; Nocetti 2015; Soldatov 2017).

concept.<sup>350</sup> That has in turn lent itself to a protectionism of values as much as to that of infrastructure, both as part of target-centric communicative counter-terrorism (Zoller 2010, III.7 below).

The creation of Roskomnadzor and expansion of its functions in the counter-terrorism and counter-extremism context thus speak to my propositions on the role of governmental discursive power as a resource in the legitimation of power per se (II.5.8.3), here through amending a mix of what Jungherr et al. (2019) term the *regulatory environment* (here as provided for by the legal framework) and *political parallelism*. Governmental discursive power is seen to not only not be static but amenable to change, and the necessities of communicative counter-terrorism have been cited as part of the justification for that, inter alia with significant ramifications for the broader discursive legitimation of power (III.7 below).

### **III.5.2.6 Surveillance<sup>351</sup>**

Although with Rosgvardia a new actor has appeared in the cyber field of counter-terrorism, physical and technical oversight of the state's surveillance system is still located with the FSB. As Ermoshina and Musiani (2017, 43-45), Maréchal (2017, 33-34), Borogan and Soldatov (2013) and Soldatov (2017, 48-52) explain: The System of Operative Investigative Measures (SORM) was developed by the KGB during the 1980s as the national wiretapping system and inherited by the FSB; hence, both of SORM's important elements – the extractor (technical equipment and software that extracts information from traffic) and the remote control station (RCS, the access point for steering extraction) – are controlled by the FSB, meaning the FSB has priority access and control functions; these have been extended with the combination of SORM-1 (traditional phone), Sorm-2 (online data traffic) and DPI into SORM-3 in 2014 – just in time for the Olympics – marking another step empowering the FSB in the context of counter-terrorism (see Galeotti 2016b; Walker, S. 2013). Although Roskomnadzor, MVD and the Federal Drug Control Service also have standing access to SORM, other agencies do not, again placing the FSB in a relatively more powerful position by controlling access (Ermoshina and Musiani 2017, 43). Soldatov (2017, 48-52) also points out how the technical overlap between electronic surveillance and censorship and the accompanying legal framework favour Russia's intelligence agencies, reinforcing that impression. So even though counter-terrorism was certainly not the only reason for the construction of SORM-3, the FSB once again emerges as a spearhead (Galeotti 2016b).

### **III.5.2.7 Interim conclusions on counter-terrorism institutions**

The primary actors in Russian counter-terrorism have always been the FSB and various so-called “armed bureaucracies” (*siloviki*), but the distribution of responsibilities does not only

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<sup>350</sup> (Baranov 2007, 63, 66-67; Cross 2013, 17-19; Herd 2000, 69-71; Maréchal 2017; Simons and Strovsky 2006, 202; Zoller 2010).

<sup>351</sup> This subsection is partly based on Korte (2019a).

reflect the competencies of the agents involved or the necessities on the part of the phenomenon. Rather, counter-terrorism institutions are seen to serve the legitimization of power in ways other than serving optimal performance on Beetham's (2013) *general interest of security*. With the FSB's empowerment, that is the institutionalisation of the influence of a constituency whom Putin is what Albrecht and Frankenberger (2010b) would call *exclusively responsive* to (III.5.2.3, e.g. Baev 2004b, 341-343). With Rosgvardia, the idea is to balance the former (III.5.2.4, e.g. Galeotti 2017b), a habit that will be recognised as a tool of governance implemented in the assignment of policy authority over the North Caucasus below (III.5.3). With Roskomnadzor, the Kremlin has leveraged its own discursive power, demonstrating that it is not static as a resource of the legitimization of power. Instead, countering terrorism and the dissemination of extremist ideology have been part of the reasons governmental discursive power at large has been leveraged (III.5.2.5, e.g. Ermoshina and Musiani 2017, 42; see III.7 below). Finally, as the surprising transfer of the monopoly to use force to the Kadyrovsky (III.5.2.2) demonstrates, there is a capacity and a willingness to conciliate. In the case of Kadyrov and the Kadyrovsky this was initially selectively, but as I argue at III.8 below, eventually exceeded the limited notion of selective conciliation theorised at II.3.4.2. It turned into process-based and indirectly also condition-centric *structural* counter-terrorism through the granting of substantial autonomy financially backed up by the federal centre (e.g. Koehler et al. 2016).

### III.5.3 Reforms to the general institutional structure and cadre policy

#### III.5.3.1 Putin's first two presidencies (1999-2008)

When Putin assumed office as acting president in September 1999, he had to balance the interests of three competing factions in Moscow: Yeltsin's "family", the Communist Party and Moscow mayor Yurii Luzhkov aiming for the office of Prime Minister.<sup>352</sup> Moreover, there were the oligarchs with their economic power, some of them former acquaintances of Putin from St. Petersburg (the *Pitersy*), the "regional 'barons'" and the various factions of the so-called "power ministries" (*siloviki*): MVD, FSB, MO and the procuracy.<sup>353</sup> Meanwhile, as Baev (2004a, 4-8; 2004b, 341) points out, the *siloviki* were far from the monolithic block the term *militocracy* (Kryshtanovskaya and White 2003) suggests, with plenty of turf wars ongoing. Counter-terrorism was rhetorically stylised as the test case for the Kremlin's ability to guard security and territorial integrity as interests quintessential to the legitimization of power.<sup>354</sup> Based on that, unity in terms of national cohesion and political-administrative monolithisation could be presented as conditions for effectively managing counter-terrorism, while counter-terrorism could be used to push for broader executive powers, a stronger verticalisation of the entire

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<sup>352</sup> (e.g. Baev 2004a, 4-8; 2004b, 339; Dunlop 2014, 16-17)

<sup>353</sup> (ibid and also Baev 2006b, 5-6; Galeotti 2000; Mazurova 2016, 3).

<sup>354</sup> (e.g. Baev 2004b, 340-344; Kahn 2008, 529-531; Lemaître 2006; Mommsen 2017, 64-65; Robinson 2018, 89-90, 138-149).

political system in the so-called *Power Vertikal* and a balancing of competing interests.<sup>355</sup> In the *Power Vertikal*, power became centralised, mechanisms of its horizontal and vertical separation abolished and institutions hollowed.<sup>356</sup> Regional elites' policy autonomy was circumscribed as Putin's main constituencies from the former KGB and the *Pitersy* were strengthened and he pulled members of the security services into powerful positions.<sup>357</sup> These changes demonstrate what Albrecht and Frankenberger (2010b) call *exclusive responsiveness* to their interests while securing the responsiveness of the system to Putin's directions. A substantial body of political science literature is devoted to the characteristics of the specific type of system that was created – what Petrov (2011a; 2011b) refers to as “Highly Managed Democracy”. This includes work by Mommsen (2004; 2017; 2018a; 2018b), Kynev (2011), Pain (2005a; 2011), Gudkov (2011), Kahn (2004; 2008), Lemaître (2006), Richard (2008) and Robinson (2018). My focus here is narrowly on those aspects related to counter-terrorism, namely on the fact of and process via which counter-terrorism has co-motivated or been used to justify that change towards the institutionalisation of *exclusive responsiveness* and other legitimacy-related changes.<sup>358</sup>

Putin first used the argument for the necessity of national unity in the face of terrorism to extend his demands for greater executive unity in early 2000:

I am sure that no coherent and workable programme can emerge if it is written in several different offices, with some writing the economic, others the political and yet others the international parts. And then all this is mechanically ‘glued together’ and presented as a single state platform. (Putin 2000b)

The necessity to develop a more unified governing structure to coherently design and implement policy across sectors was cited to justify a number of reforms. The first step of counter-terrorism driven reforms associated with the Vertikalisation of Power was Presidential Decree No. 849 which created seven federal districts (or “super-regions”), headed by presidential plenipotentiaries monitoring the implementation of federal law and policy at the lower levels of government.<sup>359</sup> Staffing of the new plenipotentiary posts with candidates of a security or secret service decent as well as the drawing of super-regional boundaries signposted Putin's overall focus on security.<sup>360</sup> Meanwhile, Baev (2004a, 4-8; 2006b, 6) and Petrov (2002, 82-84) conclude that the distribution of posts was also a function of balancing competing interests and co-opting different factions among the *siloviki*. As Baev (2006b, 6) points out additionally, the expansion of the *siloviki*'s power was also present below the level

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<sup>355</sup> (ibid).

<sup>356</sup> (e.g. Gudkov 2011; Kynev 2011; Mommsen 2017, 52-60; Monaghan 2011; Petrov 2011a; 2011b; Sakwa 2008, 888-890).

<sup>357</sup> (e.g. Baev 2004a, 4-8; 2004b, 339-340; Karatnycky 2003; Kryshtanovskaya and White 2003; Lemaître 2006; Mommsen 2017, 52-54; Perovic 2006, 6-7; Petrov 2002; 2005; 2011a, 63-65; Robinson 2018, 89-91, 138-149; Schröder 2012; Ware 2011).

<sup>358</sup> For a brief review of the role of the Kursk tragedy in this, see Golts (2010).

<sup>359</sup> (e.g. Lemaître 2006, 371-372; Mommsen 2017, 52-53; Pain 2005a, 73-74; Petrov 2002; Ware 2011, 495).

<sup>360</sup> (e.g. Kryshtanovskaya and White 2003; Galeotti 2000, 9; Mommsen 2017, 53; Pain 2005a, 74; Petrov 2002).

of top brass as various ministries created counter-terrorism offices with rising demands for experienced apparatchiks. The upshot was that the potential to use the counter-terrorism institutional structure for balancing and co-opting different groups grew further (ibid). Petrov (2005), Baev (2004a, 6) and Kryshtanovskaya and White (2003) cite the same rationale for personnel purges inside the MVD, procuracy and other institutions between 2001 and 2004.

As far as my propositions concerning the dependence of counter-terrorism on systemic legitimacy (re)sources are concerned, at the onset of the period analysed, that relationship appears to be one of co-constitutiveness: co-constitutiveness between the goals and means of regaining control over Chechnya, countering terrorism effectively and the notion of a strong state. That indicates how intertwined the legitimation of Putin's power and systemic reforms have been with counter-terrorism. On the one hand, fighting terrorism and retrieving Chechnya was a test case for the government to perform on Beetham's (2013) *general interest of security*, i.e. respond to a challenge to its legitimacy effectively and guard legitimacy thereby. On the other hand, the argument of "unity" and necessity of certain reforms to that end permitted for restructuring the system in such a way as to institutionalise what Albrecht and Frankenberger (2010b) call *relations of exclusive responsiveness* while creating further posts that could be staffed to either satisfy those who support Putin or co-opt and counter-balance those who do not (e.g. Baev 2004a, 4-8).

As indicated at III.3.2.4 above, Putin (2004a) reiterated his calls for "strengthening our country's unity" in the aftermath of Beslan. Here, Lemaître (2006, 370, 410) is not alone in arguing "that the Kremlin used Beslan as a pretext" for further reforms in the direction already headed in since 2000.<sup>361</sup> In a nutshell, the institutional changes initiated in its aftermath followed the same patterns: further strengthening the *Power Vertikal*, amending the counter-terrorism relevant institutional structure in a manner that facilitated the implementation of central security-privileged counter-terrorism policy and creating a chessboard for personnel politics. This all contributed to the legitimation of Putin's power aside from the idea of improving counter-terrorism performance as what is in Beetham's (2013) theory *due performance* on the *general interest of security*.

As far as electoral reforms in the aftermath of Beslan are concerned, there were two important instrumental components. First, in December, the State Duma passed a law replacing direct gubernatorial elections at the republican levels with a system of appointment of presidential envoys that has been heralded as another step in dissolving the vertical separation of power.<sup>362</sup> The new mechanism was the baseline condition for Chechenisation as well as for a general

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<sup>361</sup> (see e.g. Borshchevskaya 2013, 79; Coalson 2004; Kahn 2008, 530-531; Mommsen 2004; 2017, 64-65; Perovic 2006, 6-7; RAD 2004; Robinson 2018, 89-91, 142; Schröder 2012).

<sup>362</sup> (e.g. Abdullaev and Saradzhyan 2006a, 196; Bremmer 2007, 138-139; Ioffe 2011; Lemaître 2006, 372-383; Mommsen 2004; 2017, 63-65; Petrov 2011b, 45-50; RAD 2004; Robinson 2018, 89-91, 142-145; Yasmann 2004).

preponderance to appoint republican heads in line with federal policy priorities – both counter-terrorism and general legitimisation of power related (Perovic 2006, 6-7). The second electoral institutional reform after Beslan was the abolition of single-mandate districts and transition to complete proportionality voting in the State Duma, reducing political competition to Kremlin-approved party lists and further bolstering the power of Putin's United Russia Party while also further weakening the independent electoral influence of regional elites.<sup>363</sup> While many scholars<sup>364</sup> thus agree with Baev's (2006b, 2) observation of Putin's "instrumental use of counter-terrorism for regime consolidation", caution should prevail when it comes to claiming the conscious *instrumentalisation* of the Chechen CTO and counter-terrorism more broadly to the consolidation of power. The expression insinuates a degree of intentionality and top-down steering of the process that at least my observations cannot fully support. *Instrumentality* in the sense of (incidental) effects, as a less polemic argument advanced, for instance, by Dannreuther and March (2008, 99-102), Goodrich (2016), Pain (2005a, 70-74) or Ware (2011, 494-495) by contrast, appears to me as the more fitting description. In terms of the propositions set out at II.5, my assumption was that counter-terrorism is conditioned by legitimacy considerations or generic systemic (re)sources of legitimacy. My observations here turn this assumption upside down because the structure of that system was changed in the name of counter-terrorism.

Beyond the electoral reforms, following Putin's hitherto unheard diagnosis of "shortcomings in socio-economic policies" (III.3.2.4), he appointed Dimitry Kozak as special presidential envoy to the SFD to address these (Putin 2004b; RAD 2004). His appointment and that of the Kozak Commission seemed to indicate that Putin was serious about the importance of the region and about improving socio-economic conditions there, particularly against the backdrop that Kozak's predecessor in office, General Viktor Kazantsev, had personified the military approach to security in the region.<sup>365</sup> However, the appointments did not herald the condition-centric amelioration of causes of terrorism promised by Putin (2004b): His recommendations for a re-decentralisation of power and comprehensive measures aimed at strengthening civil society, countering corruption, cronyism and lack of transparency were not followed, and verticalisation and prioritisation of security functions ultimately remained key (e.g. Fuller, L. 2011; Slider 2008; Taylor 2007, 7).

Summarily, with Putin having won the presidency "on the 'counter-terrorist ticket'" (Baev 2006b, 2), the Beslan crisis in 2004 thus visibly again allowed him to cement his political power position based on counter-terrorism. Bearing in mind these reforms to the larger system

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<sup>363</sup> (e.g. Kynev 2011; Lemaître 2006, 383-391; Mommsen 2004; 2017, 63-65; Perovic 2006, 6-7; Petrov 2011b, 45-50; Robinson 2018, 89-91, 141-146; RAD 2004).

<sup>364</sup> (e.g. Borshchevskaya 2013, 79; Kahn 2008, 526, 529-531; Lemaître 2006, 370, 441; Mommsen 2004; RAD 2004; Schröder 2012).

<sup>365</sup> (Campana 2013, 463; Fuller, L. and Corwin 2004; Pain 2005a, 75; Schröder 2004, 11-12; Slider 2008; Taylor 2007, 7).

institutionalising the legitimation of power, at least for Putin's first two presidential terms, counter-terrorism emerges as a resource for the institutional legitimation of power in its own right rather than being a function of other (re)sources of power's legitimation as I had proposed at II.5 above. Here, Pepinsky's (2013; II.5.9.3) point on the *epiphenomenal* quality of institutions does not preclude the altered institutionalisation of the legitimation of power in Russia to be considered as a factor conditioning counter-terrorism policy and its institutionalisation in later years. That is even though it has become clear that the institutional landscape (in general and counter-terrorism specific) is far from being an independent variable in the design and implementation of counter-terrorism policy in Russia. That is also despite the fact that I have cautioned against conceiving of the reforms as "instrumentalizing counterterrorism for regime consolidation" in the sense of Baev (2004b) and advocated following the view of incidental effectiveness to that avail advanced, for instance, by Dannreuther and March (2008, 99-102). Particularly the presidential ability to use cadre policy and the allocation of policy authority and responsibilities in the system to further appease Putin's own support groups, co-opt others and devolve power in a system that Mommsen (2017, 58-61; 2018d) and Monaghan (2011, 11-13) have characterised as steered by "manual control" has not only been facilitated in the name of counter-terrorism. It has also become a capacity that has since defined the scope for certain personnel policy decisions (e.g. Perovic 2006, 6-7). Even though the FSB's dominance in the newly founded NAK, the allocation of posts to *Pitersy* and the co-optation of other "uniformed bureaucrats" only became possible against that backdrop, these have been important scope conditions for counter-terrorism since.

### **III.5.3.2 Medvedev's presidency (2008-2012)**

By the time Medvedev took office, the Power Vertikal – which he supported (Monaghan 2011, 12) – was in place, power was in the hands of a circle of technocrats loyal to Putin and legitimacy rested on popular satisfaction with relatively steady economic growth and with the protection of Russia's security and sovereignty.<sup>366</sup> Medvedev's political programme focussed on tackling corruption, judicial reform, demographic crisis, economic modernisation and strengthening civil society. Despite his repeated criticisms of the economy's weaknesses and prevailing clientelism he did not, until the very last moment, attempt larger reforms (e.g. Mommsen 2018a; Schröder 2012; Wood 2011). Neither was his interregnum particularly game-changing, nor was his counter-terrorism agenda dominated by Putin's preoccupation with the Caucasus (Smirnov 2007b). The reforms of electoral law shortly before the end of his presidency (March-April 2012) that tore down some of the hurdles for opposition and smaller parties, erected in 2004, and reinstated popular elections for regional governors, were not related to counter-terrorism. Rather, Mommsen (2017, 92-95, 103-106), C. Ross (2018, 2) and

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<sup>366</sup> (e.g. Baev 2006b, 6; Gudkov 2011, 16-17; Mommsen 2017, 86-90; 2018b, 2018c; Monaghan 2011; Petrov 2011a, 61-65).

Schröder (2012) point out that these reforms were a limited liberalisation in response to the fraud allegations in the 2011 Duma elections and criticisms articulated in the run-up to the March 2012 presidential elections. Moreover, the “municipal filter” system, via which candidates have to collect signatures of republican parliament members for listing, and the power United Russia wields in those parliaments make sure that no regional governor is elected without the president’s express consent (Ross, C. 2018, 5-6; Schreck 2017; Shamiev and Mchedlidze 2019).

Only one of Medvedev’s reforms was arguably significant for its implications for the North Caucasus: the federal district reform. In January 2010, the previous SFD was split in two: the North Caucasus Federal District (NCFD) consisting of Dagestan, Chechnya, Ingushetia, North Ossetia, Kabardino-Balkaria, Karachayevo-Cherkessia and Stavropol Kray, with the district capital in Pyatigorsk (Stavropol Kray) and the smaller SFD consisting of the other former member republics (Holland et al. 2017, 616-617; Kuchins et al. 2011, 17; RFE/RL 2010d) so that those mostly affected by insurgency and Islamist terrorism at the time were bundled and to some extent politically separated from the others. The optimism which Aleksander Khloponin’s – the new envoy’s – background in economics rather than security caused with analysts, now predicting a trend towards structural prevention through socio-economic development,<sup>367</sup> was to be short-lived. Shortly after Putin’s return to the presidency, Khloponin was dismissed and the hard-power approach reinvigorated (III.5.3.3 below, e.g. Holland et al. 2017, 618-619).

Medvedev’s relationship with the North Caucasus republics was characterised by a continuation of the policy of Chechenisation, and the development of individual solutions for the other republics that indirectly facilitated the adoption of condition-centric prevention, especially in Ingushetia (see III.8.3). As stated, the changes made to the institutional structure in 2000 and 2004, specifically the presidential prerogative to appoint plenipotentiaries and his significant influence in cadre policy, permitted Medvedev to implement his generic political focus on development also in the NCFD (e.g. Holland et al. 2017, 617). Ingushetia’s President Murat Zyazikov was the first to be replaced in October 2008. The new Ingush President Yunus-Bek Yevkurov was a distinguished GRU officer with substantial peacebuilding experience in the Balkans and an accordingly balanced policy outlook.<sup>368</sup> In February 2010, Medvedev replaced Dagestan’s President Mukhu Aliyev with Magomed-salam Magomedov whose profile was also interpreted as enabling him to adopt a similarly balanced approach.<sup>369</sup> Yet, the fact

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<sup>367</sup> (e.g. Dzutsev 2014; Doukaev 2010; Halbach and Isaeva 2015, 7-8; Holland et al. 2017, 617; JIW 2010a; 2010e; Klimenko and Melvin 2016; Kuchins et al. 2011, 17-18; O’Loughlin et al. 2011, 601-602; RFE/RL 2010d; Ware 2011, 504-505; Weitz 2010, 10; cf. Markedonov 2012, 104-105; RFE/RL 2010f).

<sup>368</sup> (e.g. Galeotti 2009a, 9; Hahn 2012, 51-54; JID 2009a; Markedonov 2009; NCW 2008b; O’Loughlin et al. 2011, 606-607; Peuch 2009, 12; Ware 2011, 503-504; III.8.3.4 below).

<sup>369</sup> (e.g. Dzutsati 2010a; Ibragimov, Magomed-Rasul and Matsuzato 2014, 293-294; Weitz 2010, 9-10; JIW 2010c; O’Loughlin et al. 2011, 604-605; RFE/RL 2010e; Ware 2011, 505-506; HRW 2015b, 19; see III.8.3.3 below).



that Medvedev appointed regional leaders he considered loyal to the centre and capable of locally solving imminent problems was, though consistent with his larger development focus (Holland et al. 2017, 617), as Kuchins et al. (2011, 17-19) argue, systemically in continuation of the use of *principal agents* initiated by Putin.

Summarily, Medvedev's legacy concerning institutional reforms in the name of counter-terrorism is limited to splitting the SFD super-region in January 2010 and a number of personnel appointments. In terms of institutional reforms that effected counter-terrorism amongst other things, the reintroduction of gubernatorial elections at the republican level in spring 2012 – a means of granting structural influence and thus structural means of limiting motivation for violent dissent – was hamstrung by the municipal filter system. Other than that, I find that the larger institutionalised system of the legitimisation of power provided a framework within which certain personnel policy choices became possible in the sense of a capacitating influence on counter-terrorism policy as envisaged at II.5.

### **III.5.3.3 Putin's third and fourth presidencies (2012-2018)**

Putin's return to the presidency in May 2012 was characterised by a continuation of institutional, cadre and counter-terrorism policy along the lines of his first two presidencies. Between his return and 2018, there were no major federal reforms to either the electoral system or the federal system justified either directly or indirectly by counter-terrorism. Putin's cadre policy on and in the NCFD through 2018 summarily speaks of a heavy emphasis on security (e.g. Holland et al. 2017, 617-619, 634-635). The first indication of this was the May 2014 replacement of Khloponin with Sergei Alimovich Melikov, an MVD general with significant experience in the North Caucasus (Halbach and Isaeva 2015, 9; Vatchagaev 2014a). This appointment and that of his successor Oleg Beldventsev, when Melikov moved to the post of first deputy director of the newly formed Rosgvardia in 2016, have been read as evidence for the returning emphasis of security over economic development in the NCFD.<sup>370</sup> Since then, several NCFD republican leaders have been replaced with military hardliners: Dagestan's President Magomedov with Ramzan Abdulatipov in 2013 and, outside the scope of this investigation but to the same avail, Kabardino-Balkaria's Arsen Kanakov, a businessman and republican president since 2005, with Yuri Kokov, previously colonel-general in the MVD, also in 2013.<sup>371</sup> When Abdulatipov resigned under pressure from Moscow after he had failed to tackle the endemic problems of terrorism, corruption, unemployment and poverty, his successor in office from September 2017 was another military hardliner: Vladimir Vasilyev, without any previous ties to nor experience in the Caucasus, the choice indicating the Kremlin's

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<sup>370</sup> (e.g. Dzutsev 2014; Fuller, L. 2016d; Halbach and Isaeva 2015, 9; Holland 2016, 57; Holland et al. 2017, 618-619; Klimenko and Melvin 2016).

<sup>371</sup> (Halbach and Isaeva 2015, 25-26; Holland et al. 2017, 618-619; Zhemukhov et al. 2018, 215; see III.8 below).

preference for sending in an outsider to mitigate local interests impartially and represent the federal Vertikal.<sup>372</sup>

#### III.5.4 Summary on institutions

The primary counter-terrorism actors in Russia have always been the security services and various armed forces with variations in policy-authority over time (III.5.2). While the counter-terrorism bureaucracy has always rested strongly on the FSB, at least between 1998 and 2006 policy authority lay with the government and was thus subject to judicial and executive oversight which effectively ceased with creation of the NAK in 2006 (III.5.2.3, e.g. Luchterhandt 2006, 2-3). Like other amendments to the counter-terrorism bureaucracy and distribution of authority over counter-terrorism relevant policy areas, that assignment was, though justified by and logically consistent with developments in the government's threat narrative and identification of suitable counter-measures, if not intended for, at least strategically useful in terms of the legitimization of Putin's power (III.5.2.3, e.g. Dannreuther and March 2008, 99-102). The creation of the NAK in 2006 marked a unique move to put policy and operational authority into the hands of the FSB and empowered it vis-à-vis the other actors involved while removing checks and balances. This is emblematic of the larger connection between counter-terrorism and the consolidation and legitimization of Putin's power, witnessed particularly in his first two terms (e.g. Baev 2004b). Counter-terrorism emerges as an area in which considerations of effective counter-terrorism for performance legitimacy interlock with co-optation and what I have followed Albrecht and Frankenberger (2010b) in referring to as *exclusive responsiveness* as legitimacy (re)sources.

During Putin's first two presidencies, the formula for that connection was that the threat of terrorism was cited as a reason for enhancing unity in the governance and operational counter-terrorism sectors to maximise performance in the assertion of security and sovereignty as part of what Beetham (2013) subsumes under generic *general interests* (III.5.3.1, e.g. Lemaître 2006, 370, 410). Guarding these had been flagged out as Putin's primary purpose legitimating his ascendance to and position in power beginning in the run-up to the spring 2000 presidential elections and has consistently retained that function (III.5.3.1, e.g. Ware 2011, 494-495). This logic translated into reforms of the electoral system, the administrative structure and Moscow's relationship with Russia's federal constituencies, strengthening United Russia's position (III.5.3.1, e.g. Robinson 2018, 89-91, 138-149). Administrative reforms and the expansion of presidential prerogatives at post assignment and the proliferation of presidential envoys as part of the verticalisation of power in turn leveraged the Kremlin's potential for more *exclusive responsiveness* (II.5.5.2) and for what I have theorised as co-optation (II.5.9). This was done

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<sup>372</sup> (Aliyev, N. 2017; Goble 2018; Halbach 2018, 9; ICG 2018; Konarzewska 2018; Shtepa 2018).

by inserting Putin's supporters at critical junctures in the system while balancing the turf-wars between the different *siloviki* factions (III.5.3.1, e.g. Baev 2004a, 4-8).

The strategic placement of *Pitersy* and benevolent *siloviki* solidified Putin's support base in different parts of the larger systemic institutional structure in the name of counter-terrorism as well as in the counter-terrorism institutional structure. Yet, the observations here are in the first instance not so much evidence of counter-terrorism being a function of an authoritarian system's generic (re)sources of legitimacy but quite the other way around. The complex of observations regarding the nexus between counter-terrorism and the legitimization of Putin's power presented by, for instance, Baev (2004b) leads my propositions in that respect ad absurdum, at least for the period before the completion of the *Power Vertikal* during Putin's first two presidencies. Instead, the case provides empirical support for Pepinsky's (2013) admonition to see authoritarian institutions not as either independent or dependent factors of policy variation but "as epiphenomena" of governance (II.5.9.3). However, once the amended system was up and running, and as, for instance, Petrov (2011b, 62-65) argues, that was the case by the end of Putin's second presidential term, the new characteristics of the system can indeed be observed to play out in counter-terrorism institutions and policy.

At least since Medvedev then, the amended system with its expanded presidential personnel appointment prerogatives has been used to implement the Kremlin's counter-terrorism policy priorities of the day: development under Medvedev, security under Putin (III.5.3.2-3, e.g. Holland et al. 2017, 617-619). This can indeed be understood to serve optimal performance on the *general interest of security*, thereby aiding the legitimization of power. Meanwhile, the distribution of powers and competencies in counter-terrorism-relevant and territorial-administrative institutions is observed as another dimension of the legitimization of power: that is through attendance to said relations of *exclusive responsiveness* towards the FSB and the *Pitersy* and through the co-optation of other powerful groups in the system (III.5.3.1, e.g. Baev 2004a, 4-8) as a stabilising accessory to the larger legitimate power relationship as theorised at II.5.9.

In those ways, counter-terrorism has become a function of or at least a playing field for the legitimization of power in ways other than envisaged at II.5.5 and II.5.9. Moreover, as already indicated at III.5.2.5 regarding Roskomnadzor, with more evidence presented at III.7 below, governmental discursive power is clearly not an independent legitimacy (re)source but one which has been leveraged in the name of counter-terrorism. This has raised what Beetham (2013) calls the *degree of systemic self-closure* towards those aspects of the legitimization of power that are intersubjectively constructed and negotiated in discourse.

## III.6 Coercive counter-terrorism

### III.6.1 Overview

This section focusses on the use of force as decided on by the federal administration and implemented by federal forces and agents. The first subsection (III.6.2) deals with the Chechen CTO as the focus of Russia's counter-terrorism efforts during Putin's first two presidential terms. The first part of the CTO is characterised as an *armed conflict model* of coercion following Crelinsten and Schmid (1992), yet I argue that an *expanded criminal justice model* as proposed by Pedahzur and Ranstorp (2001) was simultaneously in place and took over from January 2001. Subsection III.6.3 deals with the use of force during Medvedev's presidency, largely continuing on Putin's path regarding the use of force yet with a geographic shift in focus. The third subsection (III.6.4) discusses the increased use of coercion by federal forces in the NCFD after 2012 as well as the increasing use of criminal justice measures to tackle the issue. Several trends and legitimacy-relevant points are identified. One is an overall transition towards more discriminacy in the use of coercion, another the embedment of measures of selective conciliation with said coercive activities. There are also various links between counter-terrorism policy and legitimacy (re)sources, which once more include the significance of counter-terrorism to Putin's legitimacy as a leader, as well strategic attempts at deriving performance legitimacy from counter-terrorism.

### III.6.2 Coercive counter-terrorism during the Chechen CTO (1999-2009)

#### III.6.2.1 Military counter-terrorism in Chechnya

At the onset of the military operation in Chechnya in September 1999, the CTO was claimed to be "limited" as authorities stuck to the "no-war" thesis" (Campana and Légaré 2011, 51; Hodgson 2003, 67-68; see III.3.2.3). Yet, both the goals and the extent of the engagement rapidly expanded into a full-blown military operation that involved reliance on firepower and boots on the ground.<sup>373</sup> Reports of heavy civilian casualties began to emerge during the retaking of Grozny between late October 1999 and February 2000 (Herd 2000, 61-63; JID 1999c; Thomas 2000, 51-52). A large proportion has been attributed to the strategy of "remote contact" (Thomas 2000, 51, 54): sniper teams were sent ahead into rebel-held towns and cities to guide aerial assaults or calling artillery attacks, minimising Russian artillery exposure to enemy fire yet increasing collateral damage on the Chechen side (Gakaev 2005, 35; Hodgson 2003, 72-74). As Logvinov (2012, 302-306) points out, that extent of collateral damage was incidental to a conventional military approach, but he also points to the poor quality of Russian "smart weapons" at the time. The fact that the Chechen CTO quickly turned into an operation that was not only conventional military but extremely high in civilian casualties and, according to most standards, human rights violations on the Chechen side is uncontested among

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<sup>373</sup>(e.g. Galeotti 1999, 8; Hodgson 2003, 69-75; JIR 1999b; Logvinov 2012, 300-315; Miakinkov 2011, 667-674; Pain 2000; Russell 2005a, 242; Thomas 2000).

observers, especially in the context of *zachistki*.<sup>374</sup> Considering the involvement of the armed forces, conventional military strategy and collateral damage on the ground, at least the first year of the Chechen CTO until January 2001 has to be classified as an *armed conflict approach* to coercion in Crelinsten's sense (II.3.3 above). Then, operational authority was transferred from the MO to the FSB (Kramer, M. 2005, 12). That classification is despite the "no-war thesis" (Campana and Légaré 2011, 51; III.3.2 above) and the larger framework of an *expanded criminal justice model* (Pedahzur and Ranstorp 2001) outside of the Chechen CTO (see Burger and Cheloukhine 2013, 3-4).

A very speculative rationale for the escalation of the Chechen CTO that is sometimes cited in the literature is that Basayev's incursion into Dagestan and the Apartment Bombings were secretly planned and financed by interest groups close to the Kremlin to provide justification for a military intervention.<sup>375</sup> This would have been to appease the general staff by letting them overcome their Chechen trauma and thus get their support for Putin's candidacy in spring 2000.<sup>376</sup> This fits with Baev's (2004a) exploration of the necessity to balance the interests of the military against those of Putin's own support constituencies (III.5.3.1). Yet, explaining the entire invasion as a co-optation mechanism is too speculative a conclusion in that the evidence presented is not sufficiently broad. Still, one cannot discard the Chechen CTO's strategic utility for his presidential campaign: appeasing said factions in Moscow while using it as a selling and rallying point with the population at large, also considering the shameful defeat a few years earlier.<sup>377</sup> While I do not follow Dunlop (2014) in arguing that the conditions triggering the Chechen CTO were manufactured to create an artificial legitimacy threat via tackling of which Putin could prove himself as a leader, the fact that the Chechen CTO did have popularising effects for him is uncontested among observers, specifically in view of his popularity ratings in its course.<sup>378</sup>

### **III.6.2.2 Chechenisation: growing discriminatory of force and performance legitimacy**

Partly following Burger and Cheloukhine (2013, 3), I argue that the Chechen CTO can be seen through two different paradigmatic lenses: *armed conflict* (after Crelinsten; II.3.3.1 above) and *expanded criminal justice* (Pedahzur and Ranstorp, 2001, II.3.3.2). My classification as an *armed conflict approach* for at least the first one and a half years of the CTO should not belie

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<sup>374</sup> (e.g. AIUK 2000; APS 2001; CNN 2001; Galeotti 2004a, 15; Gilligan 2010, chapt. 2; HRW 2000a; 2000b; Logvinov 2012, 300-315; Lyall 2010a, 3; Maskhadov 2000; PACE 2000; Quiring 2002; Souleimanov 2015, 99-102; Stepanova 2002, 45; UNCHR 2002). *Zachistki* are cordon and search operations during which security forces conduct identity checks and interrogate civilians to identify terrorists and extract information on their whereabouts, movements and plans (e.g. Gilligan 2010, chapt. 2; Hodgson 2003, 78; Lyall 2010a, 3; Orr 2002, 32-33; Smirnov 2007a; Stepanova 2002, 45).

<sup>375</sup> (e.g. Blank 2000, 27; Cockburn 2000; Dunlop 2014, chapt. II-IV, especially 51, 57, 63-65, there citing Ackerman 2000 and Klebnikov 2000, 300-302; Hodgson 2003, 76; RFE/RL 2000c; Weiss 2015).

<sup>376</sup> (ibid).

<sup>377</sup> (e.g. Baev 2004b, 343-344; Blank 2000, 25-27; Mazurova 2016, 3-4; Russell 2002, 81-82; Stepashin 2000; see III.2.1, e.g. Cornell 2012, 130).

<sup>378</sup> (ibid and also Abdullaev and Saradzhyan 2006a, 199-200; Baev 2004b, 343-344; Pain 2000, 61-62; 2005a, 71-73; Ware 2011, 494).

the fact that simultaneously, forces characteristic of the *expanded criminal justice model* – namely the FSB and other security services – were participating heavily in the operations. Each of the official statements that the military phase of the CTO had ended – in their multitude difficult to be taken seriously with official declarations at least in October 2000 (Galeotti 2001a), April 2002 (BBC 2002) and January 2006 (Galeotti 2006a, 48) – lends itself to that conclusion. Meanwhile, I date the end of the *armed conflict approach* and transition to an *expanded criminal justice model* in the Chechen theatre to the transfer of operational authority from the MO to the FSB in January 2001 (III.5.2.2, e.g. Kramer, M. 2005, 12). That is in part due to the strategic observation that “the emphasis shifted from combined arms operations carried out by poorly trained army troops to ‘surgical’ search-and-destroy raids by Special Forces” (JWIT 2015a, 597).<sup>379</sup> The other part came in the course of Chechenisation since the creation and deployment of the Kadyrovksy heralded the eventual advent of better and more discriminate targeting methods but also that of higher credibility.<sup>380</sup> Meanwhile, especially at the outset of the transition, the general level of force applied to the local population did not decrease, nor did previously seen human-rights critical measures cease:<sup>381</sup> Reports of human rights violations ebbed down, but security forces continued to use extrajudicial force in conducting CTOs<sup>382</sup> and targeted killings.<sup>383</sup> A human rights-critical practice associated with the Chechen forces in that period is that of “counter-capture” – taking families of (alleged) terrorists into custody to pressurise them to surrender to law enforcement; despite the fact that the Russian State Duma in 2004 rejected then Prosecutor General Ustinov’s suggestion to include so-called “counter-hostage takings” or “counter-capture” in 35-FZ (2006) or as a policy more generally.<sup>384</sup> Nonetheless, I consider the very fact of the transition from aerial bombardment to a more individualised form of violence as a move towards more discriminatory here (Pokalova 2015, 169, 180; see Hahn 2012, 44-45). Moreover, as already argued at III.5.2.2, the selective conciliation of former rebels into the Kadyrovsky eventually incurred better information-gathering and more precise targeting capabilities (e.g. Lyall 2010a). It is these two points on which I base my appraisal of a transition from a purely *armed conflict model* in Crelinsten’s sense to an *expanded criminal justice model* following Pedahzur and Ranstorp (2001). Yet, that does not preclude the application of military force within the spatially confined zones of CTO.

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<sup>379</sup> Pokalova (2015, 180) dates the shift in style to the post-Beslan era, but the agreement between her and my analysis regarding the actual transition is more important than the date of that transition.

<sup>380</sup> (e.g. Halbach 2018, 13-14; Lyall 2010a; Souleimanov 2015; 2017; Souleimanov and Aliyev 2015; 2016; Souleimanov and Ehrmann 2012, 73).

<sup>381</sup> (e.g. Gorka 2004d; Kramer, A. 2009; Lyall 2010a; Matveeva 2007, 8-10).

<sup>382</sup> (e.g. Galeotti 2007, 13-14; Gilligan 2010, chapt. 2-3; HRW 2005b; JID 2007b; Sindelar 2005; Souleimanov 2015, 107; 2017, 219; Stratfor 2006b).

<sup>383</sup> (e.g. Aliev 2006a; Fuller, L. 2005a; Galeotti 2009a; JTSM 2006a, 9; Kramer, M. 2007, 3-4; Logvinov 2012, 308; Morehouse 2015; Trifanov 2006, 34).

<sup>384</sup> (Gilligan 2010, 86-87; HRW 2005b, 14, 23-28; Lemaître 2006, 401-402; Moore, C. 2006; Soldatov and Borogan 2005, 8-9, 11; 2010, 197-198).

From the onset of the Chechen CTO, the Kremlin's communication strategy was geared towards narrating a story of success, in part towards upholding the Russian population's pro-war attitude (III.7.2.1 below, e.g. Miakinkov 2011, 665-667). Several scholars have connected Putin's popularity rating to the progress of the Chechen CTO, and the Levada Centre's polls support that conclusion, with his approval ratings jumping from 31% to 80% over the course of only three months between August and November 1999 (Levada 2020).<sup>385</sup> Part of the strategic fostering of performance legitimacy have been frequent publications of successful "eliminations" or "neutralisations" of persons authorities identified as "insurgents", "cell leaders" or "terrorists" as well as claims of normalisation of everyday life in the region.<sup>386</sup> This continuously contrasted with statements to the opposite avail, discussed at III.3.2 above, i.e. that the terrorist threat persisted to be high.<sup>387</sup> The official framing's internal contradiction emerges clearly from a statement Putin made in February 2008, just before leaving presidential office:

Through considerable effort we succeeded in ending the war in the North Caucasus. Separatism retreated and although terrorism remains an acute threat, we dealt it a decisive and crushing blow. Chechnya is now a full-fledged region within the Russian Federation. (Putin 2008)

Even though the CTO only came to an official close a year later – in April 2009 – the point remains the same. After the Chechen referendum in 2003, successful conclusion and framing of Chechnya as secure and back in the arms of Russia permitted Putin to retrieve performance legitimacy from asserting Russia's sovereignty, security and authority over the republic.<sup>388</sup>

### III.6.3 Medvedev's presidency (2008-2012): strategic continuity

For Medvedev's first one and a half years in presidential office, counter-terrorism, save for the end of the operation in Chechnya, did not occupy centre stage. As stated above (III.3.3.2, e.g. JIW 2009d), he repeatedly made clear that he shared Putin's appraisal of the necessity to use force, albeit in typically less ferocious language. At a general level, the use of force thus followed the established pattern of embedding discriminate and occasionally indiscriminate kinetic force in zones of CTO within a larger approach characterised as an *expanded criminal justice* one following Pedahzur and Ranstorp (2001). Operations were still conducted to decapitate insurgent movements, *jamaats* and terrorist cells across all of the North Caucasus republics.<sup>389</sup> Only the focus had now shifted to Dagestan, where FSB chief Alexander Bortnikov (quoted in Medvedev 2011d) deemed the situation "the most complicated" in July 2011, accounting for 40 to 50 per cent of both federal leadership decapitation reports and total

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<sup>385</sup> (e.g. Dannreuther and March 2008, 99-102; Pain 2005a, 71-73; Ware 2011, 494-495; see III.7.2 below).

<sup>386</sup> (e.g. Orr 2002, 30-33; Snetkov 2012, 531-534; 2017, 264-266; Trifanov 2006, 37).

<sup>387</sup> (e.g. Campana 2013, 466-468; Galeotti 2003c, 53; Snetkov 2012, 533-534; 2017, 264-266; Taylor 2007, 5).

<sup>388</sup> (e.g. Baev 2010; Dannreuther and March 2008, 99; Chivers 2007; Kramer, M. 2007, 3; Pain 2005a, 72; RFE/RL 2009d; Snetkov 2012, 531-534; 2017, 264-266).

<sup>389</sup> (e.g. Abbas 2009a; 2009b; Clements 2009; Dzutsati 2011; Felgenhauer 2011; Galeotti 2009a, 8; Hahn 2012, 58-59; Henman 2012; ICG 2012b, 24-29; Morehouse 2015).

conflict-related events in the region.<sup>390</sup> In March 2012, 20,000 MVD troops were relocated from Chechnya's Khankala to Karabudakhzent in Dagestan to reinforce the existing 20,000 troops.<sup>391</sup> Paralleling the earlier creation of co-ethnic units and integration of amnestied former rebel units into government forces in Chechnya as a form of selective conciliation (Vostok, Zapad, the Kadyrovsky, III.5.2.2), in August 2010, Medvedev announced the intention to roll out the same model in Dagestan, again with the dual aims of maximising efficacy via gaining intelligence and minimising federal involvement.<sup>392</sup> Scepticism reigned from the start (RFE/RL 2010a), and the attempt was not crowned by success.<sup>393</sup> Souleimanov and Aliyev (2016, 406-410) compare the original Chechen model with Dagestan to find that in combination with the failure to attract former fighters and thus provide insider information, local Dagestani forces were neither comparably well-trained nor loyal which they find partly conditional on the differing prevalence of blood feuds in the two republics. Thus, selective conciliation there failed.

Due to the observed ineffectiveness of the attempts made in Dagestan and in combination with the observed constant regarding the use of coercion in the course of CTOs within the larger *expanded criminal justice* framework, no effective development of the larger approach to coercive counter-terrorism is found during Medvedev's presidency. The same goes for the strategic framing of success in counter-terrorism to foster performance legitimacy. An additional point regards governmental practices of publishing casualties: The threat level was kept high and federal losses were kept secret whereas, for the other side, "each loss has been cited as a major counter-terrorism success by the federal authorities" (Henman 2012, 17).<sup>394</sup> This further substantiates the observation of discursive efforts for reclaiming performance legitimacy from counter-terrorism, already made during Putin's presidencies. Then, in terms of the character of coercive counter-terrorism as well as the tendency to mine performance thereon for performance legitimacy, too, the pattern observed from Putin to Medvedev is one of consistency.

### **III.6.4 Putin's third and fourth presidencies (2012-2018)**

#### **III.6.4.1 Intensification of coercion**

After Putin's return to the presidency in May 2012, the Russian strategy towards counter-terrorism in the NCFD was characterised by an intensification of the use of coercion, not only towards the Sochi Olympics in spring 2014 but way beyond it.<sup>395</sup> The focus shifted to Dagestan

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<sup>390</sup> (see Holland et al. 2017, 616, 621-622; Ibragimov, Magomed-Rasul and Matsuzato 2014, 292; JIW 2011; Souleimanov 2012).

<sup>391</sup> (Dzutsati 2012; Kravchenko, S. and Arkhipov 2012; Souleimanov 2012; Souleimanov and Ehrmann 2012, 67-68).

<sup>392</sup> (Dzutsati 2010b; Hahn 2012, 59-60; Nichol 2010, 13; Vatchagaev 2011).

<sup>393</sup> (e.g. Hahn 2012, 56-57; Ibragimov, Magomed-Rasul and Matsuzato 2014, 295-300; ICG 2012b, 30-31; Lokshina 2011; RFE/RL 2011a; Vatchagaev 2011).

<sup>394</sup> (see Felgenhauer 2011; Henman 2012, 19; Vatchagaev 2009b; 2009c; 2009d).

<sup>395</sup> (e.g. Burton and Goodrich 2014; Galeotti 2013a, 8-9; 2013b; 2014; Holland et al. 2017, 617-619, 623-624; ICG 2016, 6; Klimenko and Melvin 2016; Roth 2012; Souleimanov 2016).



where the federal force presence was beefed up to 40,000 men in October 2012.<sup>396</sup> CTOs in the republic have been reported to include all of the measures reported from Chechnya between 2001 and 2009 such as raids, extrajudicial executions, enforced disappearances and the occasional use of air force and artillery strikes.<sup>397</sup> Two well documented cases of CTOs that involved *zachistki* as well as house demolitions took place in Gimry (April 2013 to February 2014) and Vremenny (September to November 2014).<sup>398</sup> Aside from the continuation and intensification of previous coercive measures such as decapitation (e.g. Pokalova 2017, 621-622; Souleimanov 2017, 225-227), two additions were made to the coercive repertoire.

First, a November 2013 amendment to counter-terrorism law effectuated that “assets of family members and ‘close ones’, can be forfeited as compensation for victims of terrorism” (USDOS 2014, 110-111; see Balmforth 2013; HRW 2015b, 23-24). Next to the financial realm, the principle of “collective responsibility” previously seen in Chechnya was also applied operationally by federal forces from 2013, including the demolition – sometimes by artillery and air force – of the houses of terrorists’ families.<sup>399</sup> As Souleimanov and Aliyev (2015) and Souleimanov (2017, 219-224) point out, the idea of “collective punishment” or “collective responsibility” was in application of the COIN rationale of draining local support, tailored to a clan-based society that appreciates values of hospitality and honour. Yet, compared to the large-scale deployment of the military at the onset of the Chechen CTO, even collective responsibility is a more individualised form of coercion. This fits the observed development towards more discriminatory within what I find to fit Pedahzur and Ranstorp’s (2001) *expanded criminal justice* model (see e.g. Pokalova 2015, 169, 180; Souleimanov 2017, 219-225).

The second addition to the federal coercive repertoire was *profuchet*:

Those suspected of adherence to fundamentalist strands of Islam are put on special lists [...]. After incidents, such as clashes between security and insurgents or terrorist acts, local police detain them; interrogations reportedly often involve violent or degrading methods. Many have gone on the lists due to their appearance, a visit to the wrong mosque, contact with other Salafis or renting a flat or giving a ride to suspicious persons. (ICG 2016, 19)

In 2014, it became public that these lists were not only kept by local authorities or at the republican level, as previously known for Chechnya and Dagestan, but that the federal MVD main directorate in the NCFD maintained the master-database (Fuller, L. 2017b; HRW 2015b,

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<sup>396</sup> (Halbach and Isaeva 2015, 9-10; Ibragimov, Magomed-Rasul and Matsuzato 2014, 292; Souleimanov 2012, 3; Vatchagaev 2014a).

<sup>397</sup> (CK 2018a; HRW 2015b; Souleimanov 2012; Souleimanov 2017, 219-225; Vatchagaev 2014d).

<sup>398</sup> (e.g. CK 2013c; HRW 2015b, 28-39; Memorial HRC 2013; Lokshina 2015; RFE/RL 2014b; Souleimanov 2013).

<sup>399</sup> (e.g. Burger and Cheloukhine 2013, 40-41; Fuller, L. 2015c; HRW 2015b; Kramer, A. 2016; Pokalova 2017, 620-621; Souleimanov 2017, 219-224; Vatchagaev 2014c).

46). Persons on such lists are reported to have repeatedly been subjected to interrogations, enforced disappearances and forced DNA sampling.<sup>400</sup>

Around mid-2014, Russian federal authorities began to systematically tackle the issue of foreign fighters leaving Russia to join IS and JAN in Syria and Iraq.<sup>401</sup> In November 2013, participation in anti-government fighting abroad had been criminalised (Art. 208(2) UK RF, III.4.4.2 above), 35-FZ (2006) amended to include it among the terrorist activities subject to interception in the course of CTOs, and Russian authorities began to formally launch proceedings against such fighters in 2014, many of them in absentia.<sup>402</sup> In February 2015, IS was added to the federal list of terrorist organisations (Stepanova 2015). The ICG (2016, 5, 16) reports that by November 2015, there were 650 cases opened under the new offence and 150 indictments of returnees (cf. Melikishvili 2016, 37: 1,000 cases in December 2015). According to Deputy Foreign Minister Oleg Syromolotov (quoted in CEP 2018, 8-9, from CSIS, *n.d.*), in May 2018, some 4,000 Russian citizens were being tracked in Syria, against many of which criminal proceedings had been launched. Since then, the treatment of foreign fighters has not differed much from that of domestic Russian terrorists regarding the use of force in CTOs, targeted killings and decapitation of groups and regarding security services' pressure on family and friends under the *principle of collective responsibility* (Vatchagaev 2014b). A positive side effect has been that, tensions over Ukraine and Russian loyalty to Assad aside, every time the Russian security services eliminate yet another IS leader or member, this feeds into the official narrative of contributing to the global fight against terrorism at home and abroad (Dzutsati 2015c). This links back to earlier observations regarding the utility of Russian counter-terrorism towards not only claiming domestic *performance legitimacy* from guarding what Beetham (2013) refers to as the *general interest of security*, but also from external representation, a point Snetkov (2012; III.3.2) raises for the Chechen CTO.

#### **III.6.4.2 The nexus between force and legitimacy**

The last subsections described trends within the application of coercion concerning the shift in operational focus to Dagestan, federal resort to the *principle of collective responsibility*, the pressurisation of moderates under *profuchet* as well as the treatment of foreign fighters. What are the rationales behind the observed reinvigoration of coercion? How do these and the larger approach to coercion relate to my research interest in legitimacy?

One line of argumentation points to Strategy-2025's failure and the lack of progress brought about by Khloponin's appointment as a presidential envoy to the NCFD.<sup>403</sup> With Strategy-2025,

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<sup>400</sup> (Fuller, L. 2017b; HRW 2015b, 42-47; ICG 2016, 6, 19-20; ICG 2018; Mayetnaya 2017; Vatchagaev 2016a, 2016b).

<sup>401</sup> (ICG 2016, ii, 5, 16-19; 2018; Klimenko and Melvin 2016; Kostromina 2018, 12; Souleimanov and Petrylova 2015).

<sup>402</sup> (Galeotti 2014, 18; ICG 2016, 5; Kostromina 2018, 12; Pokalova 2017, 621; RAPSİ 2017a; 2018b; USDOS 2014, 111; Vatchagaev 2014b). The subject was also addressed in Art. 47 of the 2015 NSS.

<sup>403</sup>(e.g. Holland et al. 2017, 616-619, 634-635; ICG 2015b, 2-3; Kim and Blank 2013, 927-928; Vatchagaev 2014a).

for example, only three out of the seven envisaged tourism projects were implemented (Halbach and Isaeva 2015, 8; Holland 2016, 52-56). The ICG (2015b, 31-35), Holland (2016), Holland et al. (2017, 619-620, 634-635) and Klimenko and Melvin (2016) all point towards corruption and embezzlement as additional reasons for Strategy-2025's failure to produce tangible socio-economic improvements or a reduction in violence within the first few years.

A different account for the change in strategic emphasis points towards the adjustment as driven by changes in larger Russian public opinion, specifically in response to the Stop Feeding the Caucasus Campaign. Beginning at the end of 2010 and throughout Putin's electoral campaign, ultranationalist movements gained momentum, for instance, the 19<sup>th</sup> century founded "Russia for Russians movement" or the heterogeneous fellowship of Alexander Navalny (Stratfor 2012). Xenophobia and anti-Caucasian racism assumed a new face with the emergence of the Stop Feeding the Caucasus Campaign in April 2011 which demanded what its name said – that Moscow stop financing the NCFD republics – and even included an online vote for secession on the website Goodbyekavkaz.org.<sup>404</sup> While the narrative bluntly misrepresented actual expenditure, the campaign was nonetheless able to capitalise on the contradictions between almost two decades of costly and casualty-heavy military engagement in the NCFD and extremely poor results in terms of peace, stability and resource production.<sup>405</sup> More meaningful than the online vote in showing that the campaign had struck a nerve with public opinion are the results of polls conducted by the independent Levada Center in May 2011, showing a perception of the region as the cradle of terrorism as well as waning readiness to defend the region by military means.<sup>406</sup>

What both accounts for the change in strategic emphasis share is the attribution of change to responsiveness of the leadership: responsiveness to the failure of previous policies and responsiveness to public opinion. This substantiates the argument raised, for instance, by Lambach and Göbel (2010, 87-88) that responsiveness need not necessarily be enshrined in electoral institutions only (II.5.5). Regarding the Campaign, the observations even substantiate that this is responsiveness to the population at large rather than the elite-based mechanisms for the imposition of *audience costs* modelled by Conrad et al. (2014) or enshrined in the notion of *exclusive responsiveness* suggested by Albrecht and Frankenberger (2010b). That means that the change in Russian strategy to a certain degree confirms the idea that authoritarian counter-terrorism is conditioned by responsiveness as a source of autocratic legitimacy even though the observation is not made in the context of any institutionalised forum as proposed at II.5.5.

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<sup>404</sup> (Dzutsati 2015a; Holland 2016, 52-53; RT 2011a; Schwirtz 2011; Stratfor 2012; Vatchagaev 2013).

<sup>405</sup> (Dzutsati 2015a; Holland 2016, 52-53; Schwirtz 2011; Vatchagaev 2013)

<sup>406</sup> (Levada 2015; see Holland 2016, 52-53; RAD 2011; Schwirtz 2011).

On a side-note, as far as the representation of coercion in the official counter-terrorism narrative is concerned, there has been a sheer endless list of reports of successful decapitation missions that has easily contained over a hundred names each year since 2012, each accompanied by tales of pride and success.<sup>407</sup> Prominent examples of leadership decapitation include the killing of IK Emirs Doku Umarov in September 2013, Aliaskhab Kebekov and Magomedov Suleymanov in April and August 2015 and VK Emir Ruslan Asilderov in December 2016.<sup>408</sup> An interesting point raised by Vatchagaev (2014d) regards the intersection of labelling and practice: “The government justifies the decision to kill the suspects by saying it was necessary to preserve the lives of the servicemen”. In doing so, the official narrative combines its justification of the use of lethal force with claims to performance legitimacy via publishing reports of successful CTOs. This creates the impression that, as argued by Beetham (2013, 138-139), coercion occupies a justified place within the preservation of a larger legitimate power relationship precisely because it is aimed at the preservation of security, and one where the government even appears as benevolent (II.5.6).

#### **III.6.4.3 Expanded application of the criminal justice approach<sup>409</sup>**

As part of what I have classified as an *expanded criminal justice approach* to coercion following Pedahzur and Ranstorp (2001), the legal framework for which was introduced at III.4, since around the middle of Putin’s third presidency, Russian authorities have actively used criminal justice tools not only to punish but increasingly also prevent terrorism at the earliest of stages. It should be recalled that although Art. 205 on Terrorism and Art. 205.1 (Contribution to Terrorist Activity) have existed in the UK RF since 1996 and 2002 respectively, the expansion of the UK RF to penalise preparatory activities, incitement and justification and various degrees of affiliation with terrorist activity or organisations only developed gradually and slowly over the course of one and a half decades, with Articles 205.3, 205.4 and 205.5 only introduced in 2013 (III.4). Accordingly, for many years, Russian courts’ capacities to adjudicate preparatory offences and the UK RF’s usefulness in preventing and intercepting terrorist activities by predating criminal liability were limited whereas counter-terrorism legislation (130-FZ and later 35-FZ) provided for relatively broad extrajudicial pre-emption (III.4.2, e.g. Pokalova 2011, 158-161).

In the first years of the period examined, most prosecutions had been for high-profile terrorist cases: for instance, against the perpetrators of the Budyonnovsk hostage-taking in 1995 or Beslan in 2004 (e.g. Pravda 2001; RFE/RL 2006b). Following data collected by Kostromina (2018, 9), less than 40 sentences were handed down for terrorism offences annually until 2014. Further according to her statistics, since then, the number of convictions has risen dramatically

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<sup>407</sup> (e.g. Fuller 2015c; JWIT 2015a, 592, 594-596; 2017a, 629-632; Morehouse 2015; Roth 2012; USDOS 2013, 89-90; 2016, 145-146).

<sup>408</sup> (Fuller 2015d; Hawkins 2016; Holland et al. 2017, 618; Souleimanov 2017, 225-226).

<sup>409</sup> This subsection is partly based on Korte (2018a).

since, topping 270 in 2017 (Kostromina 2018, 10). In 2015, she finds that Public Justification of Terrorism (Art. 205.2) was the most frequently adjudicated offence, from 2016 second to Organising the Activity of a Terrorist Group or Participation in it (Art. 205.5) (Kostromina 2018, 10-11). Following criminalisation of participation in anti-government fighting abroad under Art. 208 UK RF in 2013, prosecutors have taken to using it against foreign fighters in Syria and Iraq, with 300 cases reported on by the Russian Legal Information Agency (RAPSI 2015) in March 2015 (see Kostromina 2018, 12; Paraszczuk 2014a; Vatchagaev 2014b). Reports of further launches of investigations and indictments, many of them in absentia, have emerged frequently since (e.g. RAPSI 2017b; 2018b; 2019d). These trends indicate that the new offences, mostly the preparatory ones, have in fact been used to prevent terrorism in the sense of Pedahzur and Ranstorp's (2001) *expanded criminal justice approach* since 2014, adding to the overall discriminatory of coercion. This observation can also be confirmed from the pattern of convictions under Articles 205.5 and 205.2. Meanwhile, there are sub-components to that trend.

One is best illustrated along Hizb ut-Tahrir convictions which account for over half of sentences issued under Art. 205.5 since 2015 (Kostromina 2018, 11; 2019a, 11). Previously, the great majority of the Hizb ut-Tahrir sentences had been handed down under Art. 282.2 (relating extremist rather than terrorist organisations),<sup>410</sup> a trend that according to different sources (e.g. Kravchenko, M. 2014; 2017; Laruelle and Yudina 2018, 48-49) began to change in November 2013. In 2018, all of the 15 verdicts handed down to members of the organisation were under Art. 205.5 (Kravchenko, M. 2019). While Hizb ut-Tahrir's designation as a terrorist organisation in 2003 is regarded controversial,<sup>411</sup> the use of Art. 205.5 attests to two trends. One is the intensification of efforts to curb the spread of extremist ideology, tying in with the broader merger of the concepts of terrorism and extremism in the official rhetoric (Kostromina 2019b, 9-10; see III.3.4.above). The second is the use of criminal justice tools to this end, aiding the impression of a larger trend towards discriminatory in the application of coercion in as much as criminal indictment falls short of physical repression.

Regarding sentences handed down under Art. 205.2 (Public Justification of Terrorism), two similar trends can be observed from the data collected by Kostromina (2019b). The first is the general fact of their proliferation, especially since 2015, with high minimum sentences and for statements mostly made on the internet (Kostromina 2018, 10-11; 2019b, 3-6). Secondly, there has been a shift in prosecuting activities that were formerly prosecuted under Articles 280 or 282 to prosecuting them under Art. 205.2, beginning in 2014 to 2015.<sup>412</sup> This substantiates the relative seriousness with which Russian authorities have begun to view the *ideology of*

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<sup>410</sup> (Kostromina 2018, 11; 2019a, 7; Kravchenko, M. 2013; Laruelle and Yudina 2018, 48-49; Verkhovsky 2012).

<sup>411</sup> (e.g. Cross 2013, 9; Kostromina 2019a, 3-5; Kravchenko, M. 2014; 2015; Laruelle and Yudina 2018, 48).

<sup>412</sup> (Kostromina 2019b, 3-4, 9-10; Kravchenko, M. 2017; 2018; Yudina 2016, 3-4).

*violence* as a component of terrorism. According to Kostromina (2019b, 10-18), most cases launched under Art. 205.2 were Islam-related but some have been against activists of Crimean, anti-imperialist and far right groups.<sup>413</sup> While human rights watchers criticise the potential for silencing dissidents and admonish arbitrary application,<sup>414</sup> I argue that as long as these are in the low hundreds, that potential is comparably minor to the larger observation that the Russian authorities have followed the clues of the legislator and utilised the criminal justice provisions en lieu of physical coercion.<sup>415</sup> Meanwhile, in 2015, jurisdiction for terrorism offences was shifted exclusively to courts martial (Kostromina 2018, 12; RAPS I 2014) which is another point of consistency with Pedahzur's and Ranstorp's (2001) *expanded criminal justice model*.

### III.6.5 Summary of coercive counter-terrorism

The coercive component to Russia's counter-terrorism strategy has been extensive and varied over time and locations, involved a variety of actors from federal to local, military, security, intelligence and law enforcement and conventional military force. Indiscriminate coercion, targeted force and criminal justice measures have been applied to punish, pre-empt and prevent terrorist activity. Yet, four observations stand out more than others.

One is the overall nature of the approach which I classify as an *expanded criminal justice* one according to Pedahzur and Ranstorp (2001). That is even though it has included military elements at least for the first one and a half years of the Chechen CTO and in spatially and temporally confined CTOs thereafter. This has involved the use of lethal force in the course of targeted killings (e.g. Morehouse 2015), "collective responsibility" since 2013 (III.6.4.1, e.g. Lokshina 2015) and the subjection of Salafis to *profuchet* (III.6.4.1, e.g. ICG 2016, 19). The problematic status of some of these measures vis-à-vis Russian and international human rights law is on a different page, but I find Hahn's (2012, 44-45) and Pokalova's (2015, 180) observation for the mid-2000s extended. The larger development has been from the application of indiscriminate kinetic coercion in the course of the Chechen CTO to its more targeted and selective application by special forces, despite the observed reinvigoration of coercive efforts since 2012 (see Souleimanov 2017, 229-230). The increased utilisation of the newer preparatory offences under the UK RF in recent years (III.6.4.3, e.g. Kostromina 2018; see Korte 2018a) in my opinion substantiates this trend. It allowed for a partial replacement of kinetic repression with a preventively ever more capable set of criminal justice tools so that terrorism can be prevented before it can only be pre-empted.

Across time, there are many observations regarding the framing of the use of force towards its justification and the citation of tactical and strategic successes towards reclaiming

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<sup>413</sup> (see AI 2015; 2019; HRW 2018c; Kravchenko, M. 2017; RAPS I 2016a; Verkhovsky 2018; Walker, S. 2015; Yuditskaya et al. 2016).

<sup>414</sup> (e.g. AI 2019; Fuller, L. 2015b; HRW 2018c; Kravchenko, M. 2018; 2019; Sokolov 2016; Walker, S. 2015).

<sup>415</sup> This observation is also consistent with the trends in conflict events observed by Holland et al. (2017) for the 2011-2016 period.

performance legitimacy from what Beetham (2013) calls *due performance* on the *general interest of security*. This is the case for the end of the Chechen CTO in April 2009 (III.6.2.2, e.g. Snetkov 2012, 531-534) and for federal authorities' reports on decapitation missions (e.g. Henman 2012, 17). This substantiates the hypothesis regarding the mining of counter-terrorism success as a source of performance legitimacy based on its *general interest*-relevant nature (II.5.6.3).

With Chechnya's Kadyrov and the Kadyrovsky (III.5.2.2., III.6.2.2), and with later attempts to reproduce that model in Dagestan (III.6.3), coercive strategy went hand in hand with selective conciliation. In the case of the Kadyrovsky, one observation is that rent-sharing and amnesties worked to split the insurgency and gain tactical intelligence benefits (e.g. Souleimanov 2015). This fits findings on conciliation and its benefits by Bueno de Mesquita (2005), Sederberg (1995), Dixon (2015) and Cronin (2006; II.3.4). These measures of selective conciliation paved the way for the institutionalisation of a stable power-sharing arrangement with Kadyrov, embodying the intersection between selective conciliatory and what I partly follow Schneckener (2006) in calling *structural counter-terrorism* (III.8, e.g. Koehler et al. 2016, 373-374). This indicates a governmental ability and willingness to selectively conciliate, confirming the expectation that there is more to authoritarian counter-terrorism than coercion, even in its very context.

Finally, a review of the different rationales cited towards the reinvigoration of coercion in the run-up to Sochi casts that development in relation to a notion of responsiveness to popular opinion (e.g. Schwirtz 2011, III.6.4.1) and in adaptation to previous policy failures, not conditioned by a lack of restraint as proposed by the Paradigm (III.6.4.2, e.g. Holland et al. 2017, 634-635). The first concurrence substantiates the existence of governmental responsiveness per se. However, because no institutional link was observed, that does not confirm any of my propositions regarding either institutionalised responsiveness in general, specifically across different party-systems or electoral institutions (II.5.5), or what Albrecht and Frankenberger (2010b) call *exclusive responsiveness*. It is *responsiveness* nonetheless, showing yet another link between legitimacy and counter-terrorism strategy that holds potential capacity for attributing policy variation.

## III.7 Communicative counter-terrorism

### III.7.1 Overview<sup>416</sup>

This section charts the development of communicative counter-terrorism in Russia to answer two questions. The first is whether there are non-coercive communicative components to the Russian counter-terrorism strategy at all, falling outside of the scope of the Paradigm's

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<sup>416</sup> This entire section is partly based on ideas I presented and the ensuing discussion at the *3<sup>rd</sup> Young Researchers' Workshop on Terrorism and Belligerency* on 14 February 2019 (Korte 2019a). I am indebted to my respondent Alexandra Herfroy-Mischler and the participants for their invaluable comments.

predictions. The second one is whether any of these concur with a certain extent of governmental discursive power to indicate whether, as a legitimacy resource, the latter capacitates or constrains the choice and implementation of the former as proposed at II.5.8. On the whole, the answer to the first question is yes, but the Russian communication strategy only broadened towards actor-centric radicalisation prevention after Medvedev's (2010b) vow to "strengthen moral and spiritual values and assist religious leaders". During the Chechen CTO, there was already a denial of attention component of target-centric communicative counter-terrorism but that was not primarily driven by consideration of terrorism as a form of communication, particularly not the intersubjective character of its construction (II.2.3 above, e.g. Beck 2008, 31-36; II.3.6, e.g. Crelinsten and Schmid 1992, 322-330). Today, by contrast, Russian communicative counter-terrorism pays tribute to such a conceptualisation through measures of actor-centric communication (II.3.6.3), including the prevention of radicalisation, and also a target-centric generic notion of resilience in Coaffee's (2006, 396-400) sense (II.3.6.2). The recent ideational or ideology-centric understanding of the terrorist threat (III.3.4) is also reflected in the communicative approach.

Regarding the second question, different additions to the communicative counter-terrorism strategy concur with different levels and components of governmental discursive power, specifically variations in what I have followed Jungherr et al. (2019) in operationalising as the *regulatory environment* and the degree of *political parallelism*. However, I find the relationship between communicative counter-terrorism and governmental discursive power to be that the latter has been leveraged based on arguments of necessity pertaining to the former, disconfirming my hypothesis at II.5.8. Meanwhile, several other links between communicative counter-terrorism and the larger legitimization of power emerge. These pertain to the ability to use the leveraged governmental discursive power as a resource in framing performance in counter-terrorism in a way conducive to performance legitimacy in the sense of demonstrating the government's ability to "duly perform" on what Beetham (2013) identifies as the *general interest of security* (II.5.6). These and other points are presented in chronological order for Putin's first two presidential terms (III.7.2), Medvedev's presidency (III.7.3) and Putin's third and fourth terms (III.7.4).

### **III.7.2 Putin's first two presidencies (1999-2008)**

#### **III.7.2.1 Communication strategy in the course of the Chechen CTO<sup>417</sup>**

Most scholars acknowledge that Moscow's failure to win the First Chechen War was first and foremost due to a lack of public support for the operation as a result of an absent or ineffective media strategy, often referring to the CNN-effect of uncensored reports of human rights violations and the live-coverage of the Budyonnovsk hostage-taking on Russian television in

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<sup>417</sup> This subsection is partly based on Korte (2019a).



1995.<sup>418</sup> The Kremlin's communication strategy during the Chechen CTO, by contrast, involved at least three counter-measures to avoid a rerun: (i) a set of measures physically implemented in and around the Chechen CTO; (ii) amending what I follow Jungherr et al. (2019) in operationalising as the *regulatory environment* through legislation as early as autumn 1999, and (iii) from mid-2000 onwards, gradually increasing the degree of *political parallelism*. Specifically the second and third points have also had an impact on governmental discursive power at large.

No. 130-FZ (1998) had already prescribed the principle of "minimum disclosure of technical methods and tactics for the conduct of counterterrorist operations" (Art. 2(9)) as well as limiting or prohibiting the dissemination of information about terrorism and CTOs, including such "serving to propagandize or justify terrorism and extremism" (Art. 15(3)). In December 1999, GR No. 1538 established a new body, the Russian Information Center (RIC), to filter and provide targeted information on the Chechen CTO for public consumption.<sup>419</sup> From 2001, journalists were required to take the "Bastion" training course to receive accreditation for reporting on CTOs, inter alia teaching them "appropriate" terminology.<sup>420</sup> On the one hand, these measures are not atypical and broadly consistent with the idea of target-centric denial of attention through news embargoes etc. as part of target-centric communicative counter-terrorism.<sup>421</sup> On the other hand, in Russia's Chechen CTO the stakes were higher than merely countering terrorism in several ways. First, in recourse to the fateful communication strategy in the first Chechen war, the dominant reading of Russia's communication strategy at the time is for it to have fulfilled "a subordinate function" to kinetic operations (Miakinkov 2011, 674),<sup>422</sup> not to be driven by consideration of terrorism as a fear-based form of communication, particularly not the intersubjective character of its construction,<sup>423</sup> at least not at the onset in 1999. It is in this context that adherents to the COIN paradigm find the technique of "winning hearts and minds" turned upside down in its orientation towards the home-front rather than towards the kinetic engagement's target population.<sup>424</sup> The second point concerns the Chechen CTO's importance to Putin's campaign for the presidency (III.3.2.3, 6.2.1 above, e.g. Pain 2005a, 69-73). Third, while the measures concerning information on the Chechen CTO went some way towards steering medial discourse, what I have followed Jungherr et al. (2019) in operationalising as the *regulatory environment* was amended in ways leveraging

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<sup>418</sup> (e.g. Belin 2002, 2-16; Blank 2012, 17-18; Borshchevskaya 2013, 74; Herd 2000, 58 citing Hockstader 1995; Hodgson 2003, 75-76; Miakinkov 2011, 660-661; Pain 2000; 2005a, 68-69; Russell 2005a, 244, 257-258; Thomas 2000, 52).

<sup>419</sup> (e.g. Belin 2002, 21-26; Blank 2012, 19-22; Gordon 1999; Herd 2000, 63-64, citing SWB/RIA 2000; Pain 2000, 60; 2005a, 69-70; Pokalova 2015, 106; Simons and Strovsky 2006, 201-203; Thomas 2000, 52).

<sup>420</sup> (Belin 2002, 21-22; Herd 2000, 63-64; Seslavinskiy 2014; Soldatov 2009).

<sup>421</sup> (Abdullaev and Saradzhyan 2006a, 195; Simons and Strovsky 2006, 203; see II.3.6.2, e.g. Wilkinson 2011, 159-161).

<sup>422</sup> (see Blank 2012, 19-22; Miakinkov 2011, 648-649; Simons 2006, 583).

<sup>423</sup> (II.2.3 above, e.g. Beck 2008, 31-36; II.3.6, e.g. Crelinsten and Schmid 1992, 322-330).

<sup>424</sup> (e.g. Kim and Blank 2013, 924; Miakinkov 2011, 648-649; Ucko 2015, 11).

governmental discursive power at large towards utility far beyond the realm of communicative counter-terrorism, already in the first few months.

As Belin (2002, 17-21), Herd (2000, 59-60), Pain (2000, 59-60) and Thomas (2000, 52) all point out, initially even private media were largely toeing the government line, sticking to the officially supplied death tolls and fully appropriating military nomenclature. By the end of the year, however, private stations began to publicise material contradicting the governmental story of smooth success (e.g. Belin 2002, 21-26; Herd 2000, 62-63). One of the first measures in autumn 1999 had been passage of a law “allow[ing] the government to suspend broadcast licenses for three months without a court hearing” (Herd 2000, 59-60). By late January 2000, all NTV correspondents had been kicked out of the accredited media pool, many news outlets received warnings in spring,<sup>425</sup> and there are some reports of the pressurisation of individual journalists.<sup>426</sup> At the time, Russian authorities were relatively open about their intentions on the matter: “when the nation mobilises its forces to achieve some task, that imposes obligations on everyone including the media.”<sup>427</sup> While the changes to media law refer to the *regulatory environment* component of governmental discursive power, the degree of *political parallelism* also came under manipulation from above in the name of counter-terrorism.

Between 2000 and 2002, several oligarchs came into the crosshairs of economic or judicial pressure over their reporting on the Chechen CTO, propelling their economic and political disempowerment, most prominently Boris Berezovsky and Vladimir Gusinsky.<sup>428</sup> In 1999, Berezovsky who owned a large part of shares in the media conglomerate ORTV that held inter alia ORT (one of the biggest tv channels in Russia), *Kommersant Daily* and *Nezavisimaya Gazeta*, had supported the intervention in Chechnya as well as Putin’s candidacy, but as ORTV’s reporting on Chechnya became more critical, he had to face the reopening of fraud investigations into Aeroflot as well as a series of controversial criminal allegations and investigations.<sup>429</sup> He was gradually forced to sell his shares in ORT to Roman Abramovich, a close affiliate of Putin, leading some observers to see “the Kremlin with an effective monopoly over Russia’s national broadcast media” (JID 2004b).<sup>430</sup> A more balanced verdict should understand it as an increase in what has been operationalised as the degree of *political parallelism* (Jungherr et al. 2019), not as a discourse monopoly. Kim and Blank (2013, 924) capture this point under a “securitization of the media” that affects the content of reporting but

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<sup>425</sup> (Batuev 2000; Belin 2002, 26, 30-31; Fossato 2000a; 2000b).

<sup>426</sup> (e.g. Belin 2002, 26-29; Coalson 2000; Dolgov 2000; Fossato 2000a; Harding 2008; Herd 2000, 65; HRW 2000b; REF/RL 2000a).

<sup>427</sup> (Yastrzhembsky from the RIC, quoted in Batuev 2000 from *Kommersant Daily*, *n.d.*; Belin 2002, 26).

<sup>428</sup> (e.g. Baev 2004b, 340-341; Bremmer 2007, 133-134; JID 2003b; 2004b; Robinson 2018, 205-206; Schröder 2012).

<sup>429</sup> (Belin 2002, 27; Dunlop 2014, 51-59, 70-71; Galeotti 2000, 9-11; Herd 2000, 68-69; JTWR 2002; Lurie 2000; Myers 2003; Pain 2000, 60; RFE/RL 2000a; 2000c; 2013e).

<sup>430</sup> (see Hodgson 2003, 76; JFR 2001, 3; RFE/RL 2001; 2011b). Gusinsky’s story is similar (Galeotti 2000, 10-11; JFR 2001, 2; JID 2004b; RFE/RL 2000b).

certainly not to the extent of full censorship or a discourse monopoly.<sup>431</sup> The fact of this increase in the course of counter-terrorism demonstrates that, counter to my proposition at II.5.8.3, *governmental discursive power* should not be understood as a discrete capacity that defines the scope for communicative counter-terrorism. Rather, it can be and in the Russian case has been (Blank 2012, 21-22) leveraged in the course of counter-terrorism far beyond the requirements of that issue agenda.

Apart from said three functions/effects that the communication strategy had (denial of attention as part of communicative counter-terrorism, garnering public support for the CTO and leveraging *governmental discursive power* at large), there is a fourth highly legitimacy-relevant component to the communication strategy. It relates back to the second point: the ability to use governmental discursive power to frame Russian performance in a way conducive to *performance legitimacy*:

Instead of gloomy and depressing pictures that occupied the front pages of the Russian newsarticles during the first war, there now appeared well fed, smiling, and confident soldiers, flanked by their precocious officers. Interviews with rebel leaders were replaced with largely positive stories about 'success against a 'terrorist' enemy'. (Miakinkov 2011, 665, quoting Oliker 2001, 63)

These efforts were largely conducive to public support for the operation.<sup>432</sup> Here, the effects of a growing degree of what I follow Jungherr et al. (2019) in operationalising as *political parallelism* helped the government influence public discourse in such a way that it was seen to perform positively on its sovereignty- and security-defending mission, i.e. on Beetham's (2013) *general interest of security*, aiding the construction of performance legitimacy as proposed at II.5.8.3.

### **III.7.2.2 Communication under attack: Dubrovka (2002) and Beslan (2004)**<sup>433</sup>

In contrast to the communication strategy pertaining to the Chechen CTO, the federal government's handling of the Nord-Ost Siege in October 2002 can only be described as a major PR fail. In addition to international coverage (e.g. *Al Jazeera*), the hostage-takers were communicating freely on air, and even Russian authorities had their statements to the hostage-takers relayed via television (Dolnik and Pilch 2003, 594-595). NTV showed footage of hostages' relatives protesting the Russian intervention in Chechnya and demanding the release of their relatives as suggested by the hostage-takers (Zolotov 2002). The wide coverage led Chechen leader Basayev to claim Dubrovka as a victory (Dolnik and Pilch 2003, 590). Meanwhile, public opinion regarding the feasibility of a military solution to Chechen

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<sup>431</sup> (see Belin 2002, 34-35; Blank 2012, 21-23; Robinson 2018, 166-167; Simons and Strovsky 2006, 208; Simons 2006, 582).

<sup>432</sup> (e.g. Belin 2002, 23; Blank 2012, 19-21; Hodgson 2003, 76-78; Pain 2000, 60-61; 2005a, 71-72; Pokalova 2011, 161-165; Russell 2005a, 252-253, 258-259; Thomas 2000, 52).

<sup>433</sup> This subsection is partly based on Korte (2019a).

terrorism and support for harsher counter-measures increased despite the egregious tactical and PR failures at the event.<sup>434</sup>

Yet more surprising was Putin's rejection of a number of amendments to what I have followed Jungherr et al. (2019) in operationalising as the *regulatory environment* in November 2002.<sup>435</sup> Apparently, the degree of *political parallelism* was already high enough for him to assume that the private media would not jeopardise goal attainment of the larger communication strategy (Simons and Strovsky 2006, 203-207). However, following a list of recommendations given to the Media Industrial Committee, a powerful media lobby group, by the Press Ministry in late 2002 (Zolotov 2002), in April 2003 representatives of different media signed the Convention on Counter-Terrorism as a voluntary code of conduct.<sup>436</sup> As a non-coercive tool of target-centric communicative counter-terrorism, i.e. not constituting censorship from above, this contradicts the Paradigm's expectation that the key to authoritarian communicative counter-terrorism lies in authoritarian governments' control and censorship of the media (II.4.2, e.g. Ucko 2015, 3, 8-9). On the one hand, this demonstrates the very existence of a high degree of *political parallelism* as an indicator of governmental discursive power at that point. On the other hand, it marks a step in the institutionalisation of the denial of attention component of communicative counter-terrorism.

While on the intelligence and operational fronts, Beslan (2004) was also considered a major failure (III.5.2.3, e.g. Fuller, L. 2004b), that is not true for the realm of communication strategy: The charter's "rules were in fact meticulously followed", with news reporters inter alia quoting the exact (mis-)information given by the communication headquarters regarding the number of hostages (300 rather than the factual 1,500) and perpetrators' demands (Vyzhutovich 2004).<sup>437</sup> Next to an information blockade on the event, the government organised "public demonstrations against terrorism" as part of its efforts to let themes of solidarity, strength and unity dominate the discourse (Coalson 2004). Although there were some reports of (mainly foreign) journalists being prevented from getting to North Ossetia (Coalson 2004; Haraszti 2004, 8-12), for the better part, journalists appear to have done their work unobstructedly (Haraszti 2004, 4-6; Vyzhutovich 2004). In Beslan's aftermath, revisions to media law were, again, discussed in the State Duma, and Putin, again, spoke up against them (e.g. Abdullaev 2004; Medetsky 2004; Simons and Strovsky 2006, 203-204). And again, his popularity did not suffer more than temporarily from the failures (Pain 2005a, 71), and the Russian public, again,

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<sup>434</sup> (Feifer 2002, citing an October 2002 VTSIOM poll; Malaschenko 2004, 6, citing VTSIOM polls in October 200, October 2001 and October 2002; RFE/RL 1999, citing a September 1999 VTSIOM poll; see Pokalova 2011, 162-165).

<sup>435</sup> (Abdullaev and Saradzhyan 2006a, 195; 2006b, 365; Medetsky 2004; Putin 2002; Saradzhyan and Abdullaev 2005, 127).

<sup>436</sup> (Abdullaev 2004; Abdullaev and Saradzhyan 2006a, 195; 2006b, 365; Pokalova 2015, 130; Saradzhyan and Abdullaev 2005, 127; Simons and Strovsky 2006, 205-206; Vyzhutovich 2004).

<sup>437</sup> (see Haraszti 2004, 3; Pokalova 2015, 136; Saradzhyan and Abdullaev 2005, 127; Simons and Strovsky 2006, 206-207).

showed itself supportive of further coercive counter-terrorism measures.<sup>438</sup> This does suggest that the existing degree of what I have followed Jungherr et al. (2019) in operationalising as *political parallelism* and the *regulatory environment* created at the onset of the Chechen CTO were sufficiently strong to guarantee the success of the Kremlin's communications strategy (Simons and Strovsky 2006, 207-208).

### **III.7.2.3 Interim conclusions (1999-2008)**<sup>439</sup>

From a review of the Russian communication strategy in relation to the onset and early years of the Chechen CTO and during and after the hostage-takings at Dubrovka (2002) and Beslan (2004), several trends can be observed. These pertain to the nature of Russian communicative counter-terrorism and its relationship with governmental legitimacy, the legitimacy of the use of coercion and the ability to reclaim performance legitimacy from the former. One trend concerns the denial of attention component to target-centric communicative counter-terrorism (II.3.6.2). Already at the onset of the operation the Kremlin managed to deny attention and influence public discourse on the matter (III.7.2.1, e.g. Kim and Blank 2013, 924). This was attained through legislation, accreditation mechanisms and amendments to what Jungherr et al. (2019) call the *regulatory environment* and, soon after, through raising the degree of *political parallelism*. This does not lend credit to my proposition that governmental discursive power is a capacity that defines the scope for communicative counter-terrorism (II.5.8). Rather, the Kremlin's efforts vis-à-vis the media in the first years of the CTO demonstrate how governmental discursive power was leveraged in its name (e.g. Blank 2012, 21-23). An interesting part of that is the observation made with Putin's vetoes of further amendments to the *regulatory environment* and with media behaviour in the course of the Beslan crisis (III.7.2.2, e.g. Abdullaev and Saradzhyan 2006a, 195): by 2002, *political parallelism* as a component of governmental discursive power was so robust that no further amendments to the *regulatory environment* were seen to be required.

Even if the ends of communication strategy were not concerned with the genesis of fear in public discourse and its impact in the sense of Crelinsten and Schmid's (1992) "propaganda dimension of counter-terrorism" (II.3.4), they are closely connected to the preservation of the legitimacy of the prevailing distribution of power in at least three ways. First, per fostering public support for the CTO, these efforts preserved the legitimacy of the use of coercion as part of a larger legitimate power relationship as envisaged by Beetham (2013, 138-139). Secondly, this effort and its effects extended to Putin's popularity as a leader (III.7.2.1, e.g. Pain 2005a, 69-73). Third, the enhanced governmental discursive power also came with an enhanced ability to reclaim performance legitimacy from the performance on what Beetham (2013) calls the

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<sup>438</sup> (Abdullaev and Saradzhyan 2006a, 199; 2006b, 367-368, both citing a Levada-Centre poll of 18-19 September 2004; RAD 2006a, citing "opinion surveys conducted by the 'Public Opinion Foundation' (FOM) on 5/6 November 2005 and 18/29 March 2006").

<sup>439</sup> This subsection is partly based on Korte (2019a).

*general interest of security*. This substantiates the proposition that governmental discursive power enhances the ability to cite success in counter-terrorism as a source of performance legitimacy (II.5.8.3). In those ways, counter-terrorism emerges as a source of legitimacy in its own right, already during Putin's first two presidencies, also in the communicative realm.

### III.7.3 Medvedev's presidency (2008-2012)

#### III.7.3.1 *The communicative turn in the strategy*<sup>440</sup>

As indicated at III.3.3, Medvedev's presidency marked a turn towards more comprehensive counter-terrorism efforts that was most perceivable and sustainable in the communicative realm even though implementation of the aligned strategy only really took off following Putin's return to the Kremlin. In a 2010 speech, Medvedev (2010b) included among the "five main challenges" in countering terrorism that to "strengthen moral and spiritual values and assist religious leaders". This was in line with the threat diagnosis and accordant proposition of counter-measures laid down in the CCT (2009). It diagnoses among the factors contributing to the genesis of terrorism:

- g) terrorist and extremist propaganda disseminated via infocommunication networks (the Internet) and mass media;
- h) terrorist elements welcoming broad coverage of their activities in the media for greater public effect;

("CCT 2009", 4)

Based on this diagnosis, it prioritises the "development of a system of countering terrorist ideology" ("CCT 2009", 13a) and suggests inter alia the development of "information measures [...] explaining the essence of terrorism and its threat to the society, forming zero tolerance attitude towards the ideology of violence among the common public" ("CCT 2009", 21d). In doing so, the CCT (2009) - on paper - set the stage for the unravelling of basically any and all of the potential policies and measures outlined for both target- and actor-centric communicative counter-terrorism at II.3.6 above. Meanwhile, Logvinov (2012, 156, 402-403), for instance, points out that at the time of his publication there still was next to no effort at interactively tackling radical ideology. From my own research, however, I find that although the adoption of measures to those ends did not take off until later, Medvedev's (2011b; 2011c; 2011d) encouragement of Islamic clergy to engage with radicals and their ideology but also the public at large paved the way for two developments. One was a more thorough and disaggregating approach towards Islam in departure from Putin's earlier indiscriminate and barely knowledgeable uniform demonisation of various branches thereof (III.3.2, e.g. Russell 2002, 76-80), the other one towards taking that discursive engagement to the internet (Cross 2013, 23). Both are elements of what I have defined as actor-centric communicative counter-terrorism in the sense of El-Mafalaani et al.'s (2016) "primary" and "secondary prevention" or Schmid's (2013) "preventive counter-radicalisation" (II.3.6.3). Yet, both the content of the CCT

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<sup>440</sup> This subsection is partly based on Korte (2019a).

(2009) and Medvedev's statements suggest a distinction leaning onto Zoller's (2010, 7, citing Kramer et al. 2009, 476) explanation of *information security* which embraces "the cognitive domain of cyber as much as the technical domain." I thus follow his definition to further split analysis of Russian communicative counter-terrorism between those communicative activities that relate to "the cognitive domain of cyber" and the approach's *technical-infrastructural* aspects, with the *infrastructural* component stemming from Ermoshina and Musiani's (2017, conceptually based on DeNardis and Musiani 2016) description of current "Russian internet governance" as "governance by infrastructure".

Implementation of the broadened communication strategy in the sense of its turn towards actor-centric preventive measures was still limited under Medvedev although the *technical-infrastructural* component commenced with the creation of Roskomnadzor in 2009 (III.5.2.5). Efforts at restraining what Cross (2013, 14-16) characterises as a "culture of freedom of the Internet" up to that point, such as the introduction of the Register of Banned Information in 2007 or setting up of Roskomnadzor, did not immediately deal away with the "unsystematic" and "ineffective" nature of control of the online communication space.<sup>441</sup> An interesting aspect thereof, illuminated by Soldatov (2017, 43-48), is how when regulations were developed, operators and ISPs had the chance to discuss and influence the legislative initiatives rather than being forced into compliance from above. As Soldatov (2017, 41-43) further explains, prior to 2012 Roskomnadzor depended on the voluntary efforts of self-monitoring by operators, ISPs and telecommunications providers and their adherence to a self-imposed code of conduct. Such was adopted by the Safe Internet League, a group voluntarily formed by several large telecom companies in February 2011 (Krainova 2011; Soldatov 2017, 42-43). And although the SOVA Center already documented instances of misapplication of the relevant legislation from 2008 onwards,<sup>442</sup> at large these instances are considered exceptions rather than the rule or even systematic (SOVA 2010, cf. Cross 2013, 13-15). Thus, Medvedev's presidency was still not particularly restrictive in terms of content (Cross 2013, 14-16; Peterson 2012; Soldatov 2017, 55-56), and largely consistent with his position in Winter 2011: "Russia will not support initiatives that may jeopardise Internet freedom, a freedom that is founded on basic values and the law" (Medvedev 2011a; see 2011b). Yet, according to Cross (2013, 22), actor-centric communicative counter-terrorism profited from Medvedev's taste in "e-diplomacy": hiring bloggers to meet extremist narratives with an offensive of general as well as more tailored governmental counter-narratives, in line with his earlier calls to engage in dialogue, especially online (Medvedev 2011b).

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<sup>441</sup> (Borogan and Soldatov 2013; Ermoshina and Musiani 2017, 42; Nocetti 2015, 3; Soldatov 2017, 40-43, 55-56).

<sup>442</sup> (Kravchenko, M. 2013; Rozalskaya 2011; Verkhovsky 2010; 2012; Verkhovsky and Kozhevnikova 2009).

### III.7.3.2 *Interim conclusions (2008-2012)*<sup>443</sup>

To summarise developments in communicative counter-terrorism during Medvedev's presidency, it stood in sharp contrast to Putin's first two presidencies. Then, information strategy had been only target-centric and a support function (III.7.2, e.g. Miakinkov 2011, 674; Pain 2005a, 69-73), a support function, no more. Under Medvedev, in contrast, communicative counter-terrorism embraced what I have conceptualised as actor-centric means (II.3.6.3, e.g. El-Mafaalani et al. 2016) and developed into a dimension of counter-terrorism in its own right. At least in narrative and on paper, it took to inhibiting the "dissemination of terrorist ideology" in the sense of the CCT (2009, 15b) towards the prevention of radicalisation. During his reign, some changes were initiated that pertained to both the ideological component in the genesis of terrorism through discursive engagement and to the "governance by infrastructure" of the communication space (Ermoshina and Musiani 2017). Importantly, resilience in the sense of aiming for a system's more generic resilience, only *inter alia* to terrorism (II.3.6.2, following Coaffee 2006), was not yet part of that approach. The technical-infrastructure component was aimed at curbing the "dissemination of terrorist ideology" only in the actor-centric radicalisation-preventive sense, not at limiting terrorism's impact. Moreover, the infrastructural component was also still relatively weak in practice (e.g. Cross 2013, 14-16; Soldatov 2017, 41-43, 55-56). Nonetheless, in as much as the ideas underlying the twin-pillars of discursive engagement and "governance by infrastructure" were introduced into the discussion by and under Medvedev, he can be credited with the communicative turn in Russian counter-terrorism.

### III.7.4 **Putin's third and fourth presidencies (2012-2018)**

#### III.7.4.1 *The regulatory approach*<sup>444</sup>

As stated at III.5.2.5, the creation of Roskomnadzor and further leveraging of its capacities in the name of counter-terrorism intertwined with a larger approach to *information security* followed since the ISC (2000), also enshrined in the NSS' (2015) description of "traditional Russian spiritual and moral values" as elements of "national security in the sphere of culture."<sup>445</sup> Since Putin's return, *information security* and the associated protectionisms of values and infrastructure, and communicative counter-terrorism in the target-centric sphere have further cross-fertilised one another. This can be linked to the introduction and salience of what Kneuer (2017, 196-200) calls "ideational-identitarian argument patterns" characteristic of the Kremlin's legitimisation strategy since its "cultural turn" (Robinson 2018, 97-102, expanding on Sakwa 2013). On the one hand, interwoven terrorist and extremist ideology are portrayed as threats to national security conceptualised to involve preservation of the integrity of a community of

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<sup>443</sup> This subsection is partly based on Korte (2019a).

<sup>444</sup> This subsection is partly based on Korte (2019a).

<sup>445</sup> Another argument that could be made in this context but in-depth exploration of which is beyond the scope of this dissertation concerns the degree to which communicative counter-terrorism in its target-centric dimension has been inspired by Russian military strategic thinking on information operations as a non-military domestic peace-time tool (Blank 2008a; 2012; Chekinov 2010; Chekinov and Bodganov 2011; Kapralov and Chernyaykov 2018; Petrunin 2008; Vorobyov and Kiselev 2006a; 2006b; Vorobyov and Kiselyov 2014).



values ("NSS" 2015, Articles 43, 76-82; III.3.4.4 above). On the other hand, as far as communicative counter-terrorism is concerned, "measures are being taken to increase the protection of citizens and society from the influence of destructive information from extremist and terrorist organizations" ("NSS" 2015, Art. 47). Special focus has been on the internet, based on Putin's (2014d) diagnosis that "extremist ideology is gaining momentum in the virtual world, spilling out into the real one" (see RT 2014b) and in line with the MO's (*n.d.*) position that "virtual space is increasingly used for military, political, criminal and terrorist purposes." In as much as these developments have also been in response to the use of social media for staging collective action in the course of the Arab Spring (e.g. Borogan and Soldatov 2013; Blank 2012, 26-28; Nocetti 2015, 3), Russia's broadly construed notion of extremism renders these part of the same complex of phenomena as Jihadist extremist ideology rather than a distinct motivator of policy.

As discussed at III.4.4.1 and 5.2.5, July 2012 legislation included the Registry of Prohibited Information Law to create the Unified Register, and monitoring and enforcement have been added to the tasks of Roskomnadzor since 1 November 2012. Its impact with respect to communicative counter-terrorism lay in both the target-centric denial of attention and actor-centric preventive realms. Additionally, this further strengthened what Jungherr et al. (2019) call the *regulatory environment* with which they specifically also mean the legal environment for media (15). Still, as Soldatov (2017, 41-43) and Ermoshina and Musiani (2017, 48-50) point out, that system had (and has) "technological limitations" and largely relied on voluntary input from organisations like the Safe Internet League (III.7.3.2) and Media Gvardia. The latter was formed by members of United Russia's Young Guards in 2013 "as a crowd-sourcing bridge" (Balmforth 2015; Soldatov 2017, 42-43). Meanwhile, the combination of DPI with SORM-1 and -2 into SORM-3, operational since 2014, has remedied some of the previous shortcomings.<sup>446</sup>

Legislation effective from 2014 further amended the *regulatory environment* through provisions on registration, the Law on Bloggers, the Data Localisation Law and the addition of a new blacklist to Roskomnadzor's existing three (III.4.4.3). Based on this fourth blacklist, in late 2014, several V-Kontakte accounts were closed and VIMEO, a YouTube equivalent, blocked, both because of ISIS-related content (CEP 2018, 6; Paraszczuk 2014b; Yudina 2016, 6-7). Further amendments to the *regulatory environment* governing the *technical-infrastructural* component of *information security* in the counter-terrorism context were made by the July 2016 Yarovaya laws (Ermoshina and Musiani 2017; see III.4.5). Together with the 2014 Data Localisation Law, their provisions on decryption and data storage have forced internet companies to choose between migrating their data on Russian users onto servers located on the territory of the Russian Federation, giving it up to the surveillance of SORM-3, or abandoning their Russian

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<sup>446</sup> (Borogan and Soldatov 2013; Ermoshina and Musiani 2017, 43-45; Maréchal 2017, 33-34; Soldatov 2017, 48-52).

user segment because Roskomnadzor will block their sites.<sup>447</sup> Ebay and Paypal immediately chose to comply with the provisions whereas twitter, facebook and LinkedIn did not.<sup>448</sup> LinkedIn was then subjected to a ban order in November 2016.<sup>449</sup> A recent example of blocking with a clear anti-terrorist dimension was the ban order issued to the messaging service Telegram in April 2018 because Telegram failed to provide the FSB with decryption keys and had been used as a platform by perpetrators of the attack on the St Petersburg metro in 2017 (CEP 2018, 15; RFE/RL 2018b; Stratfor 2018).

These trends provide evidence of the active utilisation of the amended regulatory framework to curb the “dissemination of terrorist ideology” as envisaged by the CCT (2009, 15b). This fits what I have conceptualised as actor-centric communicative counter-terrorism, following inter alia El-Mafalaani et al.’s (2016) *primary* and *secondary prevention*, Schmid’s (2013) *preventive counter-radicalisation* and part of Crelinsten’s (2014, 7) *persuasive counter-terrorism* (II.3.6). These steps implement the ideas of the actor-centric turn that was strategically initiated by Medvedev. Meanwhile, the fact that the *regulatory environment* has been amended precisely to grant governmental institutions additional authorities in pursuing communicative counter-terrorism also has other ramifications – think, for instance, of the fourth blacklist added to Roskomnadzor’s portfolio in 2014 (III.4.4.3). This indicates once more that, counter to my proposition at II.5.8.3, governmental discursive power is not an independent capacity that constrains or facilitates communicative counter-terrorism but that it is easily leveraged in the course of counter-terrorism. As exemplarily pointed out by Ermoshina and Musiani (2017, 42), these efforts have intersected with the Kremlin’s larger efforts at attaining “digital sovereignty”.<sup>450</sup> For instance, the personal website of opposition leader Alexei Navalny was blocked in March 2014 pursuant to Lugovoy’s mechanism and in reference to Roskomnadzor’s fourth blacklist.<sup>451</sup> In those circumstances, the impact of governmental discursive power partially leveraged in the name of counter-terrorism is profound. However, the positive observation remains that thus far reliance on “intermediary liability”, blockage or denial of service renders an excessive application of coercion to individual activists unnecessary (Maréchal 2017, 31-32, 34-35; Soldatov 2017, 52; see III.4.4).

#### **III.7.4.2 The content of communicative measures (target- and actor-centric)**<sup>452</sup>

One of Putin’s proposed measures to reducing ideological vulnerability has been “to create an atmosphere of renouncing extremist propaganda”, “teaching patriotic values and ability to resist socially dangerous behaviour [, ...] to breed public rejection of and civic immunity to the dissemination of extremist and radical ideas” (Putin 2014d; see 2015a). Similarly, the NSS

<sup>447</sup> (Ermoshina and Musiani 2017, 46, 51; Maréchal 2017, 33-34; Nocetti 2015, 5-6; Soldatov 2017, 52-53).

<sup>448</sup> (CEP 2018, 15; Maréchal 2017, 34; Soldatkin et al. 2016; Soldatov 2017, 52-53; Stratfor 2017f).

<sup>449</sup> (CEP 2018, 15; Maréchal 2017, 33-34; Soldatkin et al. 2016; Stratfor 2017f).

<sup>450</sup> (see Blank 2012, 27-28; Cross 2013; Maréchal 2017; Nocetti 2015; Soldatov 2017).

<sup>451</sup> (Ermoshina and Musiani 2017, 47; Kravchenko, M. 2015; Soldatov 2017, 40; Yudina 2016, 14).

<sup>452</sup> This subsection is partly based on Korte (2019a).

(2015, Articles 11, 30, 47, 70, 78, 79) and Russia's Draft Counter-Extremism Strategy until 2025, adopted in November 2014, put a high premium on the safeguarding and strengthening of "traditional values" in the prevention of extremism.<sup>453</sup> The pool of stakeholders Putin (2014d) enlists in this quest for ideological immunity and resilience is very heterogeneous, reaching from government via the education sector to the "representatives of the traditional religions" (see McDermott 2014). This has also entailed the restructuring and enhancement of patriotic, spiritual-cultural and civic education, inter alia through education guidelines.<sup>454</sup> As regards targeted counter-propaganda, it is worthwhile reminiscing that the Kremlin under Putin has not receded from Medvedev's turn to "e-diplomacy" in general and has also deployed counter-narratives (Cross 2013, 22; Maréchal 2017, 36-37; Moscow Times 2012). Scholarship and reporting on the subject with a specific focus on Islamist radicalisation at federal level is scarce. Rather, extensive efforts have been undertaken by some of the republican governments in the NCFD (III.8, e.g. Ratelle and Sokirianskaia 2018, 142-146). Then, the strategy at federal level appears to have been to place the ball into the court of the Islamic establishment instead (Malashenko 2014).

Since what Robinson (2018), appropriating Sakwa's (2013) term, calls the "cultural turn in Russian politics", the Kremlin has also intensified its relationship with Islam, with Putin (2013b) portraying Russia as "a multi-ethnic and multi-religious state" and embracing Islam to the extent that Laruelle (2016, 2-3, 11) appraises as "appear[ing] Islamophile" (see Laruelle and Yudina 2018, 52; Malashenko 2014). He maintains personal ties to the Central Spiritual Board of Muslims (CSBM) and the Russian Muftis Council (RMC) and supports the Interreligious Council of Traditional Religions, instituted in 1998, leaving no doubt that he considers at least traditional Islam a constitutive part of Russian tradition, culture and civic identity (Laruelle 2016, 2-3; Malashenko 2014). Next to the interreligious cooperation and dialogue implied in the name, the Council's work also includes "opposition to extremism and terrorism" (NÖK 2018). Interestingly, when representatives of different Islamic organisations met in Moscow in March 2018 and adopted a joint statement on the threat posed by Wahhabi organisations and suggested treatment, their language and ideas mirrored the Kremlin's: Wahhabis were demonised in a manner reminiscent of Putin's 1999 rhetoric, and the clergy emphasised ideological resilience (Rozanskij 2018). The Russian Islamic establishment is thus seen to tow the Kremlin's line with respect to the preventive realm of actor-centric communication and the resilience component to target-centric communicative counter-terrorism. Meanwhile, the Kremlin has also held a protective hand over the traditional Islamic establishment, for instance, in the context of Charlie Hebdo (Aitamurto 2016, 196; Laruelle and Yudina 2018, 53) or when, following the 2015 "Koran commentaries" scandal, Putin decreed an amendment to extremism

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<sup>453</sup> (du Quenoy and Dubrovskiy 2018, 96-97; counter-extremism strategy: RT 2014b and Verkhovsky 2018, 21-24).

<sup>454</sup> (Boguslavskii and Lechitskii 2016, 3-5; Kislyakov 2018, 63-67; Kulishov 2010, 60-61; du Quenoy and Dubrovskiy 2018, 96, 113).

law (Kravchenko, M. and Verkhovsky 2016; Verkhovsky 2018, 18). It can thus be said that both Putin's narrative and practice have ostensibly been aimed at upholding traditional Islam as a bastion in the ideological fight against extremism and as a constitutive part of Russia's "multi-ethnic and multi-religious" identity (Putin 2013b).

### III.7.4.3 *Interim conclusions (2012-2018)*<sup>455</sup>

Since Putin's return to the Kremlin, actor-centric communicative counter-terrorism as commenced under Medvedev has been intensified towards "countering the dissemination of terrorist ideology" in the sense of the CCT (2009, 15b) both online and offline. That has meant the pursuit of a regulatory/administrative approach to infrastructure (Ermoshina and Musiani 2017) as well as the imposition of *intermediary liability* (Maréchal 2017, 31-32, 34-35), allowing the matter to be addressed without excessive coercion of individuals (III.7.4.1.; e.g. Soldatov 2017, 52). In the realms of target-centric resilience as well as actor-centric radicalisation prevention, it has entailed the propagation of patriotic or so-called "traditional values", fostering a type of resilience that is generic, i.e. not terrorism-specific, as theorised following Coaffee (2006) and Heath-Kelly (2015; II.3.6.2). On the one hand, that is logically justified by diagnostic references to a larger ideological threat posed by terrorism and extremism to the broadly construed national security of a community of values (NSS 2015). On the other hand, the propagation of these "traditional values" as an antidote to terrorism and extremism doubles as propagation of core content of what Kneuer (2017, 196-200) explains as the "ideational-identitarian argument pattern" characteristic of the Kremlin's self-legitimation efforts since Putin's re-inauguration in 2012. Accordingly, means and content also fit well with Crelinsten and Schmid's (1992, 322-326) *internal psyops* and Crelinsten's (2014, 6-7) "addressing counterterrorists' constituencies" as part of what I have conceptualised as target-centric communicative counter-terrorism (II.3.6).

These effects simultaneously situate communicative counter-terrorism within two different mechanisms of (re)legitimation. One is the pursuit of performance legitimacy by guarding what Beetham (2013) calls the *general interest of security* through the prevention or mitigation of terrorism. The other is the influence of public discourse in its functions of generating the consensus of those norms that underpin legitimacy and generating conclusive interpretations as to governmental performance in light of these. While that discursive power remains strictly within the limits of *self closure* envisioned by Beetham (2013; see II.5.3.5, II.5.8), the utility of even only a slightly stronger competitive edge in that respect is obvious.

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<sup>455</sup> This subsection is partly based on Korte (2019a).

### III.7.5 Summary of communicative counter-terrorism<sup>456</sup>

Over the course of the period analysed, the role of communication in Russian counter-terrorism has developed from support function at the onset of the Chechen CTO (III.7.2.1, e.g. Miakinkov 2011, 674) into a pillar of counter-terrorism separate from coercion and completely in its own right. It now covers almost the entire spectrum of communicative counter-terrorism outlined at II.3.6 above. During Putin's first two presidencies, it focussed on sustaining the image of a precise, justified and successful war with the Russian public so as to sustain their support for the operation and reclaim performance legitimacy from it (III.7.2.1, e.g. Russell 2005a, 252-253, 258-259). Although attention was denied, that was not primarily towards mitigating the communicative properties of terrorism as a fear-based form of communication, particularly not the intersubjective character of its construction.<sup>457</sup> Meanwhile, governmental discursive power at large was leveraged in the course of counter-terrorism through both the *regulatory environment* and the *degree of political parallelism* (Jungherr et al. 2019). The former took place through amendments to media law (III.7.2.1, e.g. Herd 2000, 59-60), the latter through a gradual takeover of influential private media companies, connected to their incomppliance with official provisions, jointly leveraging governmental discursive power for good (III.7.2.1, e.g. Blank 2012, 21-22). Under Medvedev, counter-terrorism underwent a communicative turn, broadening strategically to include "countering the dissemination of terrorist ideology" (CCT 2009, 15b). The means were a mix of what Ermoshina and Musiani (2017, 42) describe as "governance by infrastructure" and the encouragement of discursive engagement with extremist ideology (e.g. Medvedev 2011b; 2011c; 2011d). In the last period (2012-2018), communicative counter-terrorism came full circle in intensifying efforts in the directions set by Medvedev. The last subsection has demonstrated the intersection of non-specific ideational resilience-building in terms of target-centric communicative counter-terrorism with the Kremlin's legitimisation strategy since what Robinson (2018, 97-102) and Sakwa (2013) call the "cultural turn". This regards the regulatory approach of "governance by infrastructure" and communicative content emphasising so-called "traditional values" (III.7.4.2, e.g. Putin 2014d, 2015a). While the former has been useful in the larger Russian quest for "digital sovereignty" (Ermoshina and Musiani 2017, 42; III.7.4.1), the latter has aided the justified propagation of norms and values recently underpinning legitimisation more generally.

With respect to the questions formulated at II.5.8, first, although the broadening of communicative counter-terrorism concurred with the leveraging of governmental discursive power, the latter was far from being a capacity that restrained or conditioned the former. Rather, this section has demonstrated how at various moments, governmental discursive power was leveraged in the course of counter-terrorism, with significant benefits for the utilisation of that

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<sup>456</sup> Based on the entire section, this subsection contains similarities with Korte (2019a).

<sup>457</sup> (II.2.3 above, e.g. Beck 2008, 31-36; II.3.6, e.g. Crelinsten and Schmid 1992, 322-330).

discursive power as a resource of the legitimation of power otherwise. Communicative counter-terrorism was also seen to be closely linked to governmental legitimacy otherwise. One example is the Chechen CTO's making rather than breaking Putin's reaching for the presidency in 1999/2000 (III.7.2.1, e.g. Pain 2005a, 69-73). A second one is the ability to reclaim performance legitimacy by using the leveraged discursive power to portray the engagement as targeted and successful (III.7.2.1, e.g. Miakinkov 2011, 665). Finally, as the potential for using the regulatory and administrative framework governing access and content in the information space towards interfering with opposition narratives (e.g. Navalny) or the interests of global online companies (e.g. LinkedIn via data localisation) and the use of "e-diplomacy" (e.g. Cross 2013, 22) demonstrate, the changes have also raised the degree of Beetham (2013) calls *self-closure* more generally. There is clearly a potential for using leveraged governmental discursive power to strengthen those elements in discourse that accord with the Kremlin's altered legitimation strategy and lend themselves to a positive evaluation of its performance on *general interests*. However, so far this appears to only be a powerful asset, not an effective discourse monopoly that is forcibly implemented (e.g. Soldatov 2017, 52). Independent and a certain degree of critical reporting do remain possible, also in state-owned media (Kutscher and Himmelspach 2018).

### III.8 "Structural counter-terrorism"

#### III.8.1 Overview

This section analyses the development of what I have followed Crelinsten (2014) and Schneckener (2006) in modelling as *structural counter-terrorism*: condition-centric policies addressing structural issues such as poverty, religion- or ethnicity-based grievances (e.g. Gleditsch and Polo 2016) and process-based (political-institutional) ones that address the attractiveness of terrorism as a tactic and Eyerman's (1998) notion of *political access* as a way of addressing such grievances (II.2.3.4). The section chronologically presents *structural counter-terrorism* policies pursued by the federal centre for the entire NCFD and in three republics (Chechnya, Dagestan, Ingushetia, as applicable). It also discusses instances of selective conciliation which fit this section due to their systematic nature and condition-centric structural implications.

On the whole, *structural counter-terrorism* is found to have mostly taken the shape of devolving various levels of policy autonomy to the republican level and financing the development of individual combinations of selective conciliation, process-based and condition-centric structural solutions there indirectly. Three differing approaches to governance and to counter-terrorism have developed. They are characterised by the selective conciliation of parts of the insurgency into federal structures with condition-centric structural policy realised by means of ceding political-institutional control and coercive backup in Chechnya, (selectively) conciliatory and comprehensively condition-centric structural prevention in Ingushetia, and temporary

experiments with selective conciliation in Dagestan. While the pattern discovered does involve and rest on different types of co-optation, the most important facilitating factor in terms of the political system's more generic structure seems to be neopatrimonialism.

### III.8.2 Putin's first two presidencies (1999-2008)

#### III.8.2.1 Chechenisation

Accompanying the use of coercion during the Chechen CTO from 2002 was the policy of Chechenisation under which the Kremlin transferred vital governance functions back to Grozny. The lynchpin of Chechenisation was Ahmad Hadj Kadyrov, a veteran of the First Chechen War, during which he had fought for Chechnya's independence at the side of Dzhokhar Dudayev, who also appointed him supreme mufti of Chechnya.<sup>458</sup> As the head of the powerful Chechen Benoi clan, moderately Islamist while openly critical of Wahhabism and supported by the private militia run by his son Ramzan, the Kadyrovsky, Ahmad was the perfect man to secure the acquiescence of a substantial part of the Chechen population by co-opting a powerful elite.<sup>459</sup> Starting with his appointment as head of the Russian provincial administration in June 2000, through the Chechen constitutional referendum on 23 March 2003 and a Moscow-sponsored election campaign, Kadyrov's political career culminated in his election as Chechen President on 5 October 2003.<sup>460</sup> While the elections were boycotted by the OSCE and criticised for vote rigging, the Kremlin sold them as an overwhelming success and sign of the Chechen public's approval of the republic's return into the Russian Federation.<sup>461</sup> Yet, Kadyrov's installation as a president marked not the disappearance of Chechen political nationalism but a compromise that accommodated the goal of independence from Russia to the extent of constituting "a separatist Chechnya under the Russian flag" as long as it would neither defect entirely nor threaten Russia proper in any other way.<sup>462</sup> Kadyrov was given an unprecedented degree of economic autonomy that, although it rested significantly more on federal funding than on indigenous local revenues, permitted him to earn some degree of performance legitimacy through, for instance, reconstruction.<sup>463</sup> Furthermore, he could successfully claim a gradual limitation of federal involvement in Chechnya's internal affairs as sensitive functions were eventually devolved back to the republican level while the security situation improved measurably, especially from 2007.<sup>464</sup>

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<sup>458</sup> (e.g. BBC 2000; Dannreuther and March 2008, 103; Gorka 2004d; 2004e, 7; Mite 2004).

<sup>459</sup> (BBC 2000; Cornell 2012, 131-132; Dannreuther and March 2008, 103; Hill, F. 2002; Koehler et al. 2016, 373, 379; Malashenko 2008, 37; Pokalova 2017, 618; Souleimanov 2015, 102-103).

<sup>460</sup> (e.g. Fuller, L. 2008; Galeotti 2003c; Gorka 2003a, 2; Hill, F. 2002; JID 2003a; Makarenko 2003, 26, 29; Pokalova 2011, 122-123; Russell 2011b, 511-512; Stepanova 2002, 48).

<sup>461</sup> (Fuller, L. 2004a; Gakaev 2005, 36-37; Galeotti 2004a, 14; Gorka 2003b; Halbach 2004; Pain 2005a, 72; Pokalova 2015, 131; Wilhelmsen 2005, 51; see III.6.2 above).

<sup>462</sup> (Sergey Markedonov quoted in Russell 2008, 675 from APN, *n.d.*; see e.g. Fuller, L. 2008; Harding 2009; Pokalova 2015, 109; Russell 2008, 664-665).

<sup>463</sup> (e.g. Gakaev 2005, 37; Fuller, L. 2008; Galeotti 2004a, 14; Matveeva 2007, 4-7; Russell 2008, 660, 673-674; 2011b, 520; Taylor 2007, 7).

<sup>464</sup> (e.g. Cornell 2012, 143-144; Dannreuther and March 2008, 103-104; Gakaev 2005, 37-38; Holland et al. 2017, 622; Jane's 2008; JID 2008; 2009a; Malashenko 2008; Russell 2008, 675; Ware 2011, 498-499).

Given Chechenisation's personalised character,<sup>465</sup> the entire project threatened to derail when Ahmad Kadyrov was assassinated in May 2004.<sup>466</sup> Through a well-devised public relations campaign during the three years until his 30<sup>th</sup> birthday, Ahmad's son Ramzan Kadyrov was transformed from a politically inexperienced teenage rebel into a respected politician who took presidential office in 2007.<sup>467</sup> Locals began to respect him for reconstruction efforts, for instance, with the resurrection of the electrical grid or reinstating gas supplies in mountainous areas,<sup>468</sup> mostly, however, as a Chechen patriot – consistently wearing the traditional Chechen skullcap in public and promoting campaigns for patriotism among the young generations.<sup>469</sup> Ramzan Kadyrov has gotten away with what Russell (2011a, 1074) describes as “an overwhelmingly Chechen, rather than a recognisably Russian, identity”: combining facets of local nationalism and, ironically enough, Islamism.<sup>470</sup> He reinvented himself as the posterchild of what he considers “traditional Chechen Islam” or “popular Islam” – an idiosyncratic set of elements from various traditional and modern, religious, secular and superstitious beliefs and practices encountered across the region.<sup>471</sup> While employing the brutes rhetoric against Salafists on the one hand, he has legalised polygamy and promoted strict observance of the norms of Shari'a law in other aspects on the other, for example, regarding alcohol, gambling or Islamic dress.<sup>472</sup> In contrast to Russian federal practice of not teaching religion in school (Logvinov 2012, 189), Shari'a education has been put on the curriculum (Malashenko 2009, 3; NCW 2008a). Kadyrov has also made efforts to construct “an extensive Muslim infrastructure comprising mosques” including Central Europe's largest mosque in Grozny, which opened in 2007 (RFE/RL 2010c).<sup>473</sup>

These arguments all go towards explaining why Ramzan Kadyrov became relatively popular with Chechens, but the Kremlin's tolerance of the very idea of an ethno-nationalist as well as Islamist local government in Grozny is anything but intuitive. The extent of freedom gained by a government and security forces constituted first and foremost of former “terrorists” in addition

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<sup>465</sup> (Fuller, L. 2008; Gakaev 2005, 38; Koehler et al. 2016, 383-385; Malashenko 2008, 35-36; Russell 2011b, 519-520; Souleimanov 2006).

<sup>466</sup> (Dannreuther and March 2008, 104; Fuller, L. 2008; Gakaev 2005, 38; Gorka 2004e; Mite 2004; Russell 2011a, 1081).

<sup>467</sup> (Dannreuther and March 2008, 104; Fuller, L. 2008; Galeotti 2006b; JIAA 2006, 14, 16; Malashenko 2008, 35; Nemtsova 2006; Russell 2008, 666-667; 2011a, 1073; 2011b, 512; Souleimanov 2006).

<sup>468</sup> (e.g. Dannreuther and March 2008, 98; Fuller, L. 2008; 2011; JIW 2009g; Kramer, M. 2007, 5; Laruelle 2017, 8; Malashenko 2008, 35-36; 2009, 2; Matveeva 2007, 4-8; Nemtsova 2006; Russell 2008, 669-677; Slider 2008, 191-193; Souleimanov 2006; Taylor 2007, 5-7; Vatchagaev 2007c). A March 2007 FOM poll also painted a modestly positive picture of his popularity and people's expectations for his performance as a president (RAD 2007, 21).

<sup>469</sup> (e.g. Fuller, L. 2008; Nemtsova 2006; Russell 2011b, 518-524).

<sup>470</sup> (Galeotti 2009c, 14; ICG 2012a, 15; Kuchins et al. 2011, 8; Malashenko 2008, 36-37; RFE/RL 2010c; Russell 2011a, 1074, 1084-1085).

<sup>471</sup> (Fuller, L. 2008; Galeotti 2009c, 14; Laruelle 2017, 20; Malashenko 2008, 37; 2009, 3; NCW 2008a; RFE/RL 2010c; 2012d; Smirnov 2006).

<sup>472</sup> (Fuller, L. 2008; Galeotti 2009c, 14; ICG 2012a, 15; JIAA 2006, 16; JIW 2009g; Laruelle 2017, 20-21; Logvinov 2012, 182-183; Malashenko 2008, 37; 2009, 3-4; NCW 2008a; Russell 2011b, 669; Smirnov 2006; Souleimanov 2006).

<sup>473</sup> (see Galeotti 2009c, 13; Herd et al. 2008, 95; Malashenko 2009, 4; NCW 2008a; Russell 2011a, 1082; Vatanka 2008; NCW 2008d).



to selective conciliation in the form of amnesties (III.5.2.2, 6.2.2) factually constituted a broadening and transformation from selective conciliation into the institutionalised co-optation of broader parts of the Chechen elites as well as society through what Koehler et al. (2016, 379) identify as “multiple networks of subordinate patrons”: a prestigious job in the republican administration or with its security forces promised money, influence and protection for family members, eliciting co-operation.<sup>474</sup> In as much as this amounted to putting locals back in charge – though not necessarily a representative sample – and giving them a say – though not necessarily democratic, this fits my model of process-based (political-institutional) measures of *structural* (Schneckener 2006) counter-terrorism. It lowers the costs for pursuing legal activity compared to illegal activity, thus rendering the former more attractive (Eyerman 1998, 151-54) by providing the violent contender with a credible (because permanent) and influential position in the regular political process (II.3.5, e.g. Sederberg 1995, 306-309).

In light of my legitimacy-interest in the explanation of counter-terrorism policy, two important questions concern the why and the how of those process-based measures. The dominant interpretation of the reasons for Putin’s embark on Chechenisation is pragmatic: shedding federal responsibility by “forc[ing] events back into the region” (Gorka 2004a, 2)<sup>475</sup> while seeking the least fragile outcome.<sup>476</sup> Another explanation could be governmental responsiveness, considering that from mid-2001, public opinion polls conducted throughout Russia showed that around 50% of the population began to prefer negotiations to a continuation of federal security operations in the republic, stabilising between 60% and 70% from January 2001 with the exception of a brief drop after Dubrovka.<sup>477</sup> As far as the how is concerned, the explanation most likely has nothing to do with my propositions concerning multiparty systems’ ability to tolerate competition or the co-optive capacities scholars typically assign such systems (II.5.3.5, 5.9, e.g. Beetham 2013, 157). Rather, the handover of power relied primarily on personalised loyalty - “the personal relationship between Kadyrov and Putin” (Cornell 2012, 145), with the former describing himself as “a Kremlin man” (quoted in Gorka 2003b, 6) – and on the capacitating influence of federal funding.<sup>478</sup> Moreover, the degree of republican autonomy seen in Chechnya has been absolutely extraordinary by Russian standards (e.g. ICG 2012a, 15; Russell 2008, 664-665; 2011b, 518-519). Meanwhile, the

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<sup>474</sup> (e.g. Gilligan 2010, 83-85; ICG 2015b, 4; Koehler et al. 2016, 373-374, 379, 381, 383-385; Melikishvili 2016, 35; Pokalova 2015, 109, 131, 179; 2017, 618; Russell 2011b; Souleimanov and Aliyev 2016, 398-403).

<sup>475</sup> (see e.g. Cornell 2012, 137-138; Dannreuther and March 2008, 103; Fuller, L. 2008; Halbach 2004; 2018, 15; ICG 2012a, 14; JIAA 2006, 14; Koehler et al. 2016, 379, 383-85).

<sup>476</sup> (e.g. Fuller, L. 2008; Russell 2008, 664-665; 2011a, 1080-1081; Stratfor 2017a).

<sup>477</sup> (Gorka 2003a, 2; Malaschenko 2004, 6; Orr 2002, 35; Pokalova 2011, 164-165; RAD 2006b, 15; Russell 2005b, 114).

<sup>478</sup> (e.g. Fuller, L. 2008; Gakaev 2005, 38; Koehler et al. 2016, 383-385; Malashenko 2008, 35-37; Nemtsov 2009; Russell 2011b, 519-520; Souleimanov 2006; Ware 2011, 494-495; see notes 474 and 481). Note that with Ramzan Kadyrov, the importance of his relationship with Putin is pronounced even more often in the literature than that of his father (e.g. Cornell 2012, 144-145; Dannreuther and March 2008, 105-107; ICG 2012a, 15; Malashenko 2009, 2; Pokalova 2015, 168; Russell 2008, 663-665, 670, 674; 2011b, 520).

observation remains that by installing and funding the Kadyrov government, Moscow embarked on a systematic policy of process-based *structural* counter-terrorism.

### **III.8.2.2 Development policy in the NCFD in general**

Condition-centric *structural counter-terrorism* in the sense of policies seeking to alleviate the conditions conducive to terrorism by, for instance, socio-economic development (II.3.5, e.g. Schneckener 2006) was largely absent during Putin's first two residencies despite Putin's seemingly enlightened diagnosis thereof as vital in the aftermath of Beslan (e.g. Logvinov 2012, 207-219; Pokalova 2015, 180-182). In 2001, financial assistance from the federal government primarily (roughly 90%) went into "humanitarian aid for civilians, IDPs or refugees", not into a negotiated settlement process, reconstruction or economic development (FEWER 2002). The Special Federal Economic Reconstruction Plan for Chechnya adopted in January 2001 with a budget of 14.4 billion roubles did address reconstruction, particularly in the infrastructure, energy, communication and education sectors (FEWER 2002; Mereu 2002). Yet, it would be erroneous to describe the plan or either of the two federal targeted programs (FTPs), that invested around 464 billion roubles into the republic between 2002 and 2012 (ICG 2015a, 22), as part of a targeted condition-centric and thus preventive *structural counter-terrorism policy* along the lines of Schneckener's (2006, 218) suggestion of "socioeconomic modernisation" or Crelinsten's (2014, 9-10) "development model" (II.3.5). Although they only indirectly fed into the re-establishment of political order and allowed the Chechen administration to begin reconstruction and following the re-integration of the Chechen republic into Russia's federal system, the transfers also fit with the broader approach at levelling the relative economic disparities between Russia's regions (Zubarevich 2015, 47). Nevertheless, the effectiveness of the FTPs in terms of reconstructing the local economy were so limited that in 2007 the first FTP for Chechnya was shut down due to its ineffectiveness (Smirnov 2008d). Neither the appointment of Kozak as a special presidential envoy to the SFD nor the establishment of the Kozak Commission, having originally caused some optimism with observers (II.5.3.1 above, e.g. Galeotti 2004a, 17), managed to achieve tangible results. Although Kozak articulated multiple times the view that the keys to stabilising the security situation would be to improve transparency of government, counter corruption and cronyism, strengthen civil society and re-decentralise political power in combination with more oversight of regional leaders, his recommendations were either not heard by the centre or initiatives failed to produce results on the ground (e.g. Fuller, L. 2011; Slider 2008, 183-187; Taylor 2007, 7). Restoration of the economy made only slow progress as corruption, embezzlement or disappearance of funds remained a large problem (ICG 2015a, 22-27; 2015b, 9). Logvinov (2012, 207-221, auth. transl.), who systematically tests the Russian case for all of the components of Schneckener's (2006, 215-229) broader *structural counter-terrorism* model, likewise comes to the conclusion that federal policy in Chechnya consisted of "stabilisation measures without socio-economic

and socio-political modernisation.”<sup>479</sup> Rather, financial resources were distributed to fund a stabilisation policy characterised by the co-optation of local ethnic elites through rent-sharing in the sense of letting them decide how the generous federal funds would be spent.<sup>480</sup> While this can be conceived as a form process-based (political-institutional) structural prevention by increasing participation and ownership of local governance, it was neither a genuine condition-centric counter-terrorism policy in the sense of addressing structural factors that might be exploited by groups for recruitment and mobilisation as theorised following, e.g. Crelinsten (2014, 9) at II.3.5, nor was it ever flagged out as part of counter-terrorism policy.

### **III.8.2.3 *Interim conclusions (1999-2008)***

What I have partially followed Schneckener’s (2006) term and model in conceptualising as *structural counter-terrorism* was only a part of the Russian counter-terrorism strategy in the period between 1999 and 2008 in the policy of Chechenisation. Explicit and direct condition-centric prevention in the sense of socio-economic development was entirely absent (III.8.2.2, e.g. Logvinov 2012, 207-221). However, based on the selective conciliation of the Kadyrov clan and amnestied former rebels (III.8.2.1, e.g. Pokalova 2015, 109, 131-132, 179-180), Chechenisation put in place a new system of governance that tacitly incorporated process-based (political-institutional) prevention and thereby indirectly condition-centric policy with respect to Chechen autonomy and Islamisation, although neither was ever flagged out as the systemic concession it truly entailed. While Chechenisation is mostly understood in the sense of a localisation and thus deflection of responsibility (e.g. Cornell 2012, 137-138), in systematically conceding political autonomy to the ethnic group members of which had felt the need to address their grievances violently to begin with (Galeotti 2003c, 52; ICG 2012a, 13; Makarenko 2003, 29), it did conform to the notion of structural prevention in my process-based (political-institutional) policy model. It addressed grievances that either related to participation in the political process as such or at least provided the aggrieved with sufficient access to introduce other condition-centric grievances that might function as grounds for mobilisation (II.3.5, e.g. Crelinsten 2014, 9). Two caveats are that this access was restricted to a very narrow elite and that with the Kadyrovs, amnestied rebels and Islamisation, the underlying rationale was to “divide and defeat” in Dixon’s (2015, 192) sense (III.5.2.2, e.g. Gilligan 2010, 83-85). Nonetheless as a whole, the degree of Grozny’s political autonomy and the tolerated Islamisation cannot but be understood as tacit systematic concessions to the Islamo-separatist scene.

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<sup>479</sup> „Stabilisierungsmaßnahmen ohne sozioökonomische und sozialpolitische Modernisierung“ (Logvinov 2012, 218).

<sup>480</sup> (ICG 2015b, 4; see e.g. Fuller, L. 2008; Gilligan 2010, 83-85; Koehler et al. 2016, 373-374, 379, 381, 383-385; Lipman 2009; Logvinov 2012, 214-215; Malashenko 2008, 37; Melikishvili 2016, 35; Pokalova 2015, 109, 131, 179; 2017, 618; Russell 2011b; Souleimanov and Aliyev 2016, 398-403).

Which of the legitimacy (re)sources I discussed as potential capacities or constraints at II.5 are these observations related to? As the repressive and self-legitimizing components to stabilisation were outsourced to Grozny, the political-institutional component of stabilisation hinged on two factors: personal loyalty and money in the form of federal financial transfers (e.g. Cornell 2012, 145; Ware 2011, 499-500). This combination has nothing to do with multipartyism, which was a baseline condition of how I modelled Russia's propensities at II.5, but is characteristic of neopatrimonial power relationships instead.<sup>481</sup> This point was not considered as a primary regime characteristic in part II due to the focus on formal institutions and on connected aspects of legitimacy or legitimation rather than on stabilisation outside of the rational-legal sphere, save for the influence of ideology. *Neopatrimonialism* is an umbrella term for "politico-economic system[s]" characterised by the parallel and conflicting existence of "patrimonial" and "rational-legal" "modes of organization and domination and their legitimation" (Robinson 2018, 250, citing Erdmann and Engel 2006).<sup>482</sup> Personal networks of influence maintained through personal loyalty or the transfer of rents, as characteristic of patrimonial power relations, and impersonal ("rational-legal" or institutional) mechanisms compete and coexist; the tension between them requires constant co-optation.<sup>483</sup> Without going further into *how* different neopatrimonial systems function and why Russia since the early 2000s can indeed be considered an example of such systems,<sup>484</sup> it can be argued that *because* they *do* function and because that functioning involves constant co-optation, the devolution of political autonomy to republican presidents in the NCFD was possible in the formal system *because* it was backed up informally: personally and economically, an argument that many scholars<sup>485</sup> put forward. Then, it is noteworthy that the very capacity to use personnel policy in the North Caucasus that way was, though not created from scratch, an institutional characteristic developed in the course of counter-terrorism-related reforms to the larger institutional structure during Putin's first two presidencies (III.5.3, e.g. Perovic 2006, 6-7).

### III.8.3 Medvedev's presidency (2008-2012)

#### III.8.3.1 Overview, the NCFD in general and socio-economic development policy

In terms of the federal policy framework, the CCT (2009, 15c) diagnoses terrorism as rooted in systemic problems in that it broadly envisions "improvement of the socio-economic, political and legal situation in the country" as a "task" to be executed under "proactive" counter-terrorism but, as discussed at III.3.3, phrasing of the new agenda was too broad to deduce specific policy implications, and it did not formulate any concrete measures (e.g. Logvinov

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<sup>481</sup> (e.g. Dannreuther and March 2008, 105-106; Holland 2016, 51, 58; Kuchins et al. 2011, 18-19).

<sup>482</sup> (see Erdmann and Engel 2007; Holland 2016, 58; Mommsen 2017, 58-61; Robinson 2018, 250-256).

<sup>483</sup> (Robinson 2018, 256, and also *ibid*)

<sup>484</sup> (e.g. Mommsen 2017, 58-61; 2018b; Pain 2011; Robinson 2018, 247-249, 256-259; Sakwa 2013). Gudkov (2011) identifies this model as „Putinism“, Petrov (2011a; 2011b) calls it „highly managed democracy“.

<sup>485</sup> (e.g. Baev 2018, 12; Dannreuther and March 2008, 105-106; Holland 2016, 51, 58; Koehler et al. 2016, 369-370, 379, 381, 383, 385; Kuchins et al. 2011, 18-19; Markedonov 2015; Ware 2011, 499-500).

2012, 150-157, 418-419). Strategy-2025 (2010), published in September 2010, is a little more concrete. It “estimate[s] that the public security problem can be solved only in 5-10 years” and thus focuses on “the development of agriculture, the extractive and oil industries, manufacturing, and machine building” (III.3) in the first development stage. Yet, it fails to specify how the precondition of public security is to be realised. This is a major caveat which immediately invited doubts as to the attainability of its ambitious goals – e.g. reduction of unemployment to 5% and raising economic growth to 8 to 10% by 2025 (“Strategy-2025” 2010, IV.1) – precisely because public security was identified as a critical node but the strategy did not propose a solution.<sup>486</sup> It was thus ill-suited to tackle socio-economic problems. The majority of tourism projects, for instance, were never implemented as private investors were reportedly deterred by the security situation as well as “administrative costs and predatory government practices” (ICG 2015b, 8), even though the government had vamped up its guarantees to investors from 70 to 100% to cover the risks associated with terrorist activities in the region.<sup>487</sup>

The pitfalls and shortcomings of the two major strategic documents specifically with respect to counter-terrorism did, however, not preclude the increased flow of federal subsidies to the North Caucasus regions consistent with Medvedev’s overall modernisation agenda and as a continuation of levelling policies characteristic of the 1990s and early 2000s (Hahn 2012, 47; Zubarevich 2015). Yet, neither was specifically designed as a condition-centric structural counter-terrorism tool specific to the NCFD. Still, as the next three sections show for Chechnya, Dagestan and Ingushetia, the neopatrimonial model discussed in the previous section indirectly generated different and, at least in Chechnya and Ingushetia, effective condition-centric policies.

### III.8.3.2 *Chechnya*

Before Medvedev moved into presidential office in February 2008, observers were cautious to predict his persistence given the importance of Kadyrov’s personal relationship with Putin and since neither of the two most promising candidates, Medvedev and Ivanov, were known to be very fond of the Chechen strongman.<sup>488</sup> Yet, Medvedev’s approach to Kadyrov was surprisingly consistent with Putin’s, even openly supportive on many instances (NCW 2008c; RFE/RL 2011c; Russell 2011b, 525), for instance, with the disbandment of the Chechen Vostok special battalion in April 2008, disempowering Kadyrov’s most potent rival in the republic – Vostok’s commander Sulim Yamadayev – and minimising the scope of federal influence, particularly the MO’s GRU.<sup>489</sup> The disbanding of the MVD’s Operational Investigative Bureau No. 2 (ORB-

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<sup>486</sup> (Burger and Cheloukhine 2013, 51-53; Holland 2016, 52-57; ICG 2015b, 2-3; Kim and Blank 2013, 927-928; Markedonov 2010; 2012, 105-108; Russell 2011b, 526).

<sup>487</sup> (Halbach and Isaeva 2015, 8; Holland 2016, 53-54; Vatchagaev 2014a; Zubarevich 2015, 54).

<sup>488</sup> (Dannreuther and March 2008, 105-106; Leahy 2007; Malashenko 2008, 37; Russell 2008, 672; 2011b, 519-520; Smirnov 2007b; Vatchagaev 2008a).

<sup>489</sup> (Cornell 2012, 144; Fuller, L. 2008; Galeotti 2009b, 5; ICG 2012a, 13; JID 2008; 2009a; 2009b; Malashenko 2008; 2009, 2; Smirnov 2008e; Ware 2011, 498-499).

2) and the FSB's Goret's Combat team went to similar effects (Malashenko 2008, 36-37; Slider 2008, 190-191) as did the eventual scaling down of the remaining federal boots on the ground, estimated at around 20,000 MVD and slightly more MO personnel in spring 2009 (JCRDR 2009b; 2009c). Thus helping to consolidate Kadyrov's control over the agents of force in the republic as well as scaling down the federal footprint, Medvedev completed Chechenisation, sealed by the closure of the CTO in April 2009 (Ware 2011, 499-500).

Within the established framework of extensive republican autonomy, Kadyrov progressed further on the stabilisation and legitimisation of his power along four pillars: his idiosyncratic combination of "traditional" Chechen Islam and Chechen nationalism, elite co-optation, economic reconstruction for performance legitimacy and the application of force or threat thereof through the Kadyrovsky. In June 2008, a new federal reconstruction programme through 2012 was approved that promised double the previous amount of investments (120 billion roubles) and had a slightly broader focus: the creation of jobs, investments into agriculture and infrastructure construction, improvement of education and healthcare systems (Smirnov 2008d). While previous problems persisted, the volume of non-repayable transfers was sufficient to cover almost the entire annual budget of the republic in those years, allowing financial stabilisation that in turn aided Kadyrov's legitimacy as a "nation-builder" while covering the costs of elite co-optation.<sup>490</sup>

Regarding the use of force, reports emanating from Chechnya suggest an intensification of coercion at the hands of local forces (ICG 2015a, 28-39). The Russian State Duma had in 2004 rejected then Prosecutor General Ustinov's suggestion to include 'counter-hostage takings' with 35-FZ or as a policy more generally, but it was practiced by local Chechen security forces nonetheless under the doctrine of "collective responsibility".<sup>491</sup> Under the same doctrine, family homes of insurgents' relatives were burnt down and kin subjected to a systematic public shaming campaign.<sup>492</sup> In summer 2009, Kadyrov also declared an end to the policy of issuing amnesties to former insurgents and instead vowed to resort to summary executions (Abbas 2009b; RFE/RL 2009c), marking a shift away from the use of selective conciliation as a stabilising measure.

### **III.8.3.3 Dagestan**

When in 2005 the situation in Dagestan had begun to deteriorate, Moscow had been hesitant to interfere either militarily or politically (Fuller, L. 2005b). This changed with the federal reform of the system of appointment of republican leaders in 2006, which abolished the indigenous cohabitation system (III.2.2.1, 5.3.1). Long-time President Magomedali Magomedov was

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<sup>490</sup> (Galeotti 2009b, 5; see ICG 2015a, 22-27; 2015b, 9; Russell 2011a, 1082; Zubarevich 2015, 55).

<sup>491</sup> (Burger and Cheloukhine 2013, 40-41; Chivers 2008; Gilligan 2010, 86; Hahn 2012, 51; HRW 2005b, 14, 23-28; ICG 2012b, 28; 2015a, 9-10; Lemaître 2006, 401-402; Souleimanov 2017; Souleimanov and Aliyev 2015; 2016; Uzzell 2004).

<sup>492</sup> (Chivers 2008; NCW 2008e; RFE/RL 2009c; 2010b; Hahn 2012, 51).

replaced with then parliamentary speaker Mukhu Aliyev, a philosopher by training and a secularist who tried to stay clear of clan politics, bribery and corruption.<sup>493</sup> He sought to understand terrorism as well as the rise of Wahhabism as multifaceted phenomena with causes and goals and thus took on a combination of close co-operation with the DUMD and improvement of the socio-economic situation, educational and healthcare infrastructure, implementing a comprehensive version of what I have conceptualised as condition-centric policy (Halpin 2009; Ibragimov, Magomed-Rasul and Matsuzato 2014, 293-294). Accompanying his soft rhetoric, Aliyev's rule was characterised by harsh crackdowns on radicals and sympathisers of the "forest brothers" under the 1999 Anti-Wahhabism law (Fuller, L. 2009b; Ionov 2009; Lokshina 2010).

In February 2010, Medvedev replaced Aliyev with Magomed-salam Magomedov, raising hopes for a more mediative approach.<sup>494</sup> With Magomedov's background as a businessman with connections among the oligarchs, his appointment seemed to signal a new emphasis on economic development as a source of stability rather than relying on an exclusively heavy-handed approach.<sup>495</sup> In some ways, his appointment and tenure were similar to Chechenisation (e.g. Kuchins et al. 2011, 4; Vatchagaev 2011). Similarities lie in the fact of the appointment from above, coincidentally also of an earlier president's son (Dzutsati 2010a), and in the complete financial dependence on Moscow (e.g. Koehler et al. 2016, 385-386; Trofino 2011, 254). Much like Kadyrov, and unlike Aliyev, Magomedov presented himself as a devout Muslim, "as the republic's most zealous religious warrior", picking up the fight against unislamic ways like gambling and alcohol (Schepp 2010; see e.g. Ibragimov, Magomed-Rasul and Matsuzato 2014, 294-295). Yet unlike Kadyrov, in his quest for dialogue, he engaged any and all religious leaders including Salafis, at least initially.<sup>496</sup> In partial resemblance of the Chechen model, Magomedov declared an amnesty and set up a rehabilitation commission with the goal of selectively conciliating former insurgents as well as various branches of Salafism, though without much success: through 2014, the Commission processed just over 30 applications.<sup>497</sup> As discussed at III.6.3.2, attempts to form local ethnic units within the federal forces following the Chechen model failed, too.<sup>498</sup>

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<sup>493</sup> (e.g. Dzutsati 2009; Halbach and Isaeva 2015, 14, 25; Ibragimov, Magomed-Rasul and Matsuzato 2014, 293-294; ICG 2008, 3; Magomedov 2009, 11; Sagramoso 2007, 688; Ware 2011, 502).

<sup>494</sup> (Dzutsati 2010a; Ibragimov, Magomed-Rasul and Matsuzato 2014, 293-294; O'Loughlin et al. 2011, 604-605; Weitz 2010, 9-10).

<sup>495</sup> (Dzutsati 2010a; Ibragimov, Magomed-Rasul and Matsuzato 2014, 293-294; JIW 2010c; RFE/RL 2010e; Ware 2011, 505-506).

<sup>496</sup> (CK 2018a; Hahn 2012, 56-57; HRW 2015b, 19-20; Ibragimov, Magomed-Rasul and Matsuzato 2014, 295-301; ICG 2012b, 9-12; 2018; Zhemukhov et al. 2018, 211-212).

<sup>497</sup> (Galeotti 2014, 17; Hahn 2012, 56-57; Halbach and Isaeva 2015, 25; HRW 2015b, 19-20; Ibragimov, Magomed-Rasul and Matsuzato 2014, 295-300; ICG 2012b, 30-31; 2018; Lokshina 2011; RFE/RL 2010a; 2010e; 2011a; Souleimanov and Aliyev 2016, 408, 413; Vatchagaev 2011).

<sup>498</sup> (e.g. Dzutsati 2010b; Nichol 2010, 13; Hahn 2012, 59-60; Vatchagaev 2011).

Accordingly, despite some similarities in the attempts at selective conciliation and financial dependence, the situation in Dagestan developed radically different from Chechnya. Unlike the Kadyrov government that symbolises the institutionalised co-optation of part of the former insurgency (III.8.2.1, e.g. Koehler et al. 2016) and thus in itself combines systematic conciliation and process-based structural prevention, Dagestani presidents neither came from the insurgent underground nor succeeded in tying the latter to themselves, nor did they ever enjoy a comparable degree of autonomy (Russell 2011b, 518-519). The Dagestani solution was thus distinct in spite of similarities in the fact of the appointment and leadership style of Magomedov, Dagestan's progressive Islamisation and federal and republican attempts at selective conciliation.

### III.8.3.4 *Ingushetia*

Ingush President Zyazikov was the first one of the North Caucasian leaders Medvedev replaced in October 2008. His successor Yunus-Bek Yevkurov was a distinguished GRU officer with substantial peacebuilding experience in the Balkans.<sup>499</sup> His counter-terrorism and general policies are the most substantive in terms of both process-based and condition-centric structural prevention examined in this dissertation: Gordon Hahn (2012, 51) praises them as “the most liberal policy of any North Caucasus leader”. For the condition-centric part, he has combined an embracing and dialogue-oriented stance towards non-violent Salafists with amnesties, reconciliation and deradicalisation efforts for the violence-prone parts of the insurgent movement, spearheaded by a rehabilitation commission set up in September 2011.<sup>500</sup> Meanwhile, as a military man, Yevkurov never negated the utility of efficient coercion,<sup>501</sup> but he also always emphasised that restoring the credibility of political, administrative and law enforcement institutions in the republic, inter alia by cracking down on corruption, were key and that the agents of force would have to be subject to the rule of law.<sup>502</sup> With respect to governance, his drive to establish political trust and credibility included resurrection and political empowerment of the Council of *Teips*, a traditional Ingush forum of consultation that included officials, representatives of the *teips* and religious communities.<sup>503</sup> With respect to the rule of law and his conciliatory stance towards radical Salafis and with his Russian military rather than local rebel (“terrorist”) background, Yevkurov has clearly differed from Kadyrov. Yet much like his neighbour, he has sought to boost his personal legitimacy by investing in his image as an ethnic leader and endearing himself to the locals as such (Vatchagaev 2009b). Another similarity lies in the fact that in 2009 Ingushetia replaced Chechnya as “the most highly subsidized region in Russia”, depending on Moscow for over

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<sup>499</sup>(Hahn 2012, 51-54; JID 2009a; Markedonov 2009; NCW 2008b; O'Loughlin et al. 2011, 606-607; Peuch 2009, 12; Ware 2011, 503-504).

<sup>500</sup> (Coalson 2011; Hahn 2012, 51-53; ICG 2012b, 31; Vatchagaev 2009f; Zhemukhov et al. 2018, 216-217).

<sup>501</sup>(Feifer 2011; Hahn 2012, 53; Vatchagaev 2009f).

<sup>502</sup>(e.g. Abbas 2009c; JCRDR 2009a; Markedonov 2009, 8; Peuch 2009, 13; RFE/RL 2010b; Vatchagaev 2009b).

<sup>503</sup>(ICG 2012a, 5; Markedonov 2009, 6-7; Peuch 2009, 12-13; Ware 2011, 503-504).



90% of its budget, commencing with the allocation of an economic aid and reconstruction package in the range of 1 billion USD that year.<sup>504</sup> Finally, the image of neopatrimonial governance is complemented by the fact that Yevkurov was virtually an outsider to the region, promising to be more loyal to Moscow than to clan interests, while symbolising the federal military hardline, not the former local militant approach.<sup>505</sup>

### **III.8.3.5 Interim conclusions (2008-2012)**

As far as what I nominally follow Schneckener (2006) in referring to as *structural counter-terrorism* is concerned, neither of the two strategies (“CCT 2009”; “Strategy-2025” 2010) pushed forward with socio-economic development as a means of conditions-centric terrorism prevention. Ironically, Strategy-2025 failed precisely because it took insufficient account of the fragile security situation (III.8.3.1, e.g. Markedonov 2012, 105-108). The real trend for *structural counter-terrorism* under Medvedev then seems to have been to keep federal interference with republican politics to a minimum and sustain them financially for them to design their own structural prevention policies as needed be, in line with the neopatrimonial governance model identified at III.8.2.3 (Hahn 2012, 50-58; Ware 2011, 500). While the extent of financial transfers to the three republics was fairly homogenous – 70% of the annual Dagestani republican budget, 81% of the Chechen and 85% of the Ingush one came from federal sources (Zubarevich 2015, 55) – the extent of the leadership independence slightly less so with Kadyrov being more independent than either Aliyev, Magomedov or Yevkurov (e.g. ICG 2012a, 15; Russell 2011b, 518-519). Despite similarities in the fact that all three introduced Shari’a law, contradicting the Russian constitution (Halbach 2018, 30; Laruelle 2017, 21; Logvinov 2012, 182-185), i.e. a point of convergence in terms of tolerance from the federal political point of view, their stance towards Salafism could barely be more different: Kadyrov refused to co-operate with Salafis whereas Aliyev, Magomedov and Yevkurov did just that (e.g. Zhemukhov et al. 2018, 208-218). Accordingly, religious policy emerges as a differentially designed condition-centric and often conciliatory policy across the NCFD, but not one that was officially flagged out as federal counter-terrorism policy by the Kremlin.

### **III.8.4 Putin’s third and fourth presidencies (2012-2018)**

#### **III.8.4.1 Overview and regional patterns: financial dependence and security**

Over the 2012-2018 period, policy on the individual republics has again only had as a common denominator the pragmatic federal financing of different republican solutions on the ground. These have differed wildly in terms of leadership autonomy, stance on Islam and Salafism and internal emphasis on any of the aspects which I partly follow Schneckener (2006) in conceptualising as *structural counter-terrorism* (II.3.5). As analysis of the approaches in and to the three republics shows, the Kremlin’s efforts have once more been limited to a specific

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<sup>504</sup> (Hahn 2012, 45-46; see JCRDR 2009a; JIW 2009j; Kuchins et al. 2011, 14).

<sup>505</sup> (e.g. Dzutsati 2011; JID 2009a; Peuch 2009, 12-13; Ware 2011, 504).

notion of process-based policy. That is structurally preventive primarily by financing but not mandating republican policies which have only in Chechnya and Ingushetia – incidentally – encompassed condition-centric means, and very different ones on top of that.

The single common factor across the three republics has been their complete dependence on the federal budget via FTP.<sup>506</sup> Through 2017, Chechnya and Dagestan ranked among the highest net beneficiaries of federal funds, with Chechnya receiving over 80% of its budget from Moscow in 2017 and Dagestan over 70% in 2015.<sup>507</sup> When in May 2014, a special Ministry for North Caucasian Affairs and Development was set up, observers were immediately sceptical, pointing out the resemblance of a colonial model whereby the presidential envoy takes care of security and the new federal ministry of political and economic development (Dzutsev 2014; RFE/RL 2014c). Across the 2012-2018 period, Strategy-2025 was majorly revised twice: in April 2014, the share of federal funding in the budget was lowered, in March 2016 raised again; the strategy has been amended to cut breadth and focus on specific programs instead, drafting republic-specific implementation strategies (Fuller, L. 2016c; Holland 2016, 52). That funding has notably improved economic growth, unemployment rates, education, social and medical systems across the NCFD republics (ICG 2015b, 5-7). In Chechnya, for instance, it has allowed for a reduction of unemployment from over 70% at the onset of Ramzan Kadyrov's rule in 2007 to 21.5% in 2014 and 9.2% in 2017, according to official data; even if those figures may be grossly over-estimated, the trend is still positive (Halbach 2018, 24-25; ICG 2015a, 27). That means, even though this was neither Strategy-2025's nor the FTPs' primary aim, they did have some condition-centric impact in the sense of Schneckener's (2006) *socioeconomic modernisation* or Crelinsten's (2014) *development model* (II.3.5.2). Yet, as far as other conditions like corruption or lack of transparency are concerned, their impact has been extremely limited (Holland et al. 2017, 619-620, 634-635; ICG 2015b, 31-34). Instead, republics' relative autonomy in spending their federal-sponsored budget has allowed leaders to continue stabilising politics through rent-sharing and cronyism (e.g. Baev 2018, 12; ICG 2015b, 4; Koehler et al. 2016). As discussed at III.5.3.3, Putin's staffing policy on the presidential plenipotentiary post since 2012 has reflected a preference for hard security: replacing Khloponin with Sergei Melikov in 2014 and, upon Melikov's promotion to Rosgvardia, with Oleg Belaventsev.<sup>508</sup> In support of this emphasis on security stands the fact that in May 2014 all of the regional MVD main directorates were abolished except for in the North Caucasus, Crimean and the Far East Districts; here they were kept to oversee the republican ministries, keeping a lever of direct control over those regions, in some sense minimising the

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<sup>506</sup> (Holland 2016, 56-57; Holland et al. 2017, 619, 633; Koehler et al. 2016; Zubarevich 2015, 54).

<sup>507</sup> (Halbach 2018, 7, 25; Halbach and Isaeva 2015, 24; Holland 2016, 56-57; ICG 2015a, 22; 2015b, i, 2, 9; Laruelle 2017, 8; Melikishvili 2016, 35; Zubarevich 2015, 54-55).

<sup>508</sup> (Dzutsev 2014; Fuller, L. 2016d; Halbach and Isaeva 2015, 9; Holland et al. 2017, 618-619; Klimenko and Melvin 2016; Vatchagaev 2014a).

fallout from the laissez-faire autonomy policy pursued there otherwise (Dzutsev 2014; Vatchagaev 2014c).

#### III.8.4.2 *Chechnya*

Pertaining to republican counter-terrorism in Chechnya, its internal governance by Kadyrov and his relationship with Moscow, or more precisely, Putin, have further proceeded on the path seen in the previous two periods of analysis. Concerning the use of force, a substantial degree of repression has undeniably been characteristic of Kadyrov's leadership in general and of counter-terrorism specifically, involving reportedly serious human rights violations in the course of CTOs, the formalisation of the doctrine of "collective responsibility" to include house demolitions, the expulsion of terrorists' relatives from the Chechen republic and revocation of their citizenships since October 2014 and the complete retreat from calling amnesties.<sup>509</sup> Seemingly inconsistent with his now completely intolerant stance to local jihadists, even Salafists (e.g. Zhemukhov et al. 2018, 207), is the fact that his rhetoric concerning foreign fighters became somewhat exculpatory, describing them "as 'lost souls'" (Malashenko 2015). In November 2017, he began to spearhead efforts at repatriating foreign fighters and their families, though not without subjecting them to surveillance and criminal investigation upon their return, a move that has mostly been understood to serve "propaganda purposes" of endearing him as their saviour.<sup>510</sup>

Concerning religion, Kadyrov continued to Islamicise, in part forcefully, public life in the republic, following his idiosyncratic interpretation of traditional Chechen Islam and delegitimising and persecuting anything else (Fuller, L. 2016a; ICG 2015a, 18-21). He has deployed what Ratelle and Sokirianskaia (2018, 143) call "an entire arsenal of ideological weapons" to Islamise society from above, reaching from the education system through the mass and social media, campaigns and personal instruction of imams.<sup>511</sup> *Hijabs* have become mandatory for government employees and part of the school uniform for girls and university students (ICG 2015b, 28; Laruelle 2017, 20-21; Stratfor 2017a). Anything or anyone Islamic that does not comport to Kadyrov's idea of traditional Chechen Sufism – Salafism but also Shiism - is branded Wahhabist and subjected to harassment, detention and persecution.<sup>512</sup> Even outside of Chechnya, Kadyrov has sought to strengthen Islamic institutions, foster political and religious ties with the MENA region and set himself up as a representative of the entire Russian Muslim community.<sup>513</sup> He has asserted the compatibility and closeness of the values embodied by the ROC and Chechen Islam, bringing the local Islamic Chechen identity into the broader

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<sup>509</sup> (CK 2018b; Ibragimov, Muslim and Ivanov 2014; ICG 2015a, 9-10, 28-31, 34-38; Krasnov 2016; USDOS 2015, 135; Vatchagaev 2015).

<sup>510</sup> (CK 2018a; see Aliyev, H. 2018a; Arutunyan 2018; RFE/RL 2017).

<sup>511</sup> (Akaev 2015, 57-59; Fuller, L. 2016a; Halbach 2018, 17-18; ICG 2015a, 18-21; Laruelle 2017, 18-24; Souleimanov and Aliyev 2017; Weiss 2015; Zhemukhov et al. 2018, 207-211).

<sup>512</sup> (Fuller, L. 2016a; 2016e; ICG 2015a, 19-21; 2016, 22-23; Laruelle 2017, 9-10; Zhemukhov et al. 2018, 207-211).

<sup>513</sup> (Aliyev, H. 2018a; Barak 2016; Fuller, L. 2016a; Halbach 2018, 17, 27-29; ICG 2015a, 18-19; Laruelle 2017, 22-24; Melikishvili 2016, 35-37; Souleimanov and Aliyev 2017; Stratfor 2017a).

framework of a values-based neo-traditional Russian identity, tailgating the Kremlin's narrative, although his understanding diverges somewhat from that of the SBMs (Halbach 2018, 17-18; Laruelle 2017, 10-11, 18-23; see III.3.4.5).

The combination of those seemingly incompatible two cultural-religious identities is mirrored by a *prima facie* even more paradoxical combination of Ramzan's personality cult and Chechen nationalism with Russian patriotism as part of the state ideology that has long legitimated his rule.<sup>514</sup> He has replaced the separatist narrative with praise for the path taken by his father Ahmad and carefully cultivates his personal cult status, for instance, by enlisting his entire family in various PR-effective functions and by supporting a TV production solely dedicated to his daily routine (Halbach 2018, 16; ICG 2015a, 11-15; Laruelle 2017, 13-14). The considerable reconstruction, reduction in poverty and genuine improvement of livelihoods he has, according to most statistical standards, attained sustain his very own performance legitimacy, whereby the impression of attaining *de facto* political autonomy from Moscow, that even includes foreign policy, has also gone a long way (Halbach 2018, 24-25; ICG 2015a, 15, 27; Laruelle 2017, 8).

To summarise the counter-terrorism component of federal policy on Chechnya in the last period, it is still a mix of process-based and condition-centric structural prevention that rests on systematic concessions of autonomy particularly salient in the realms of general republican autonomy and Kadyrov's development of a partially Islamist Chechen state ideology (Markedonov 2015). Federal concessions have gone so far as to tolerate an indigenous Chechen foreign policy that is sometimes in open disagreement with federal policy, for instance, on the issue of Myanmar's Rohingya.<sup>515</sup> Analytically important are two observations implicit in the fact and extent of the autonomy, Islamisation and state ideology tolerated by Moscow. Chechnya's status in this respect continues to be exceptional (ICG 2015a, 39). Moreover, the fact that the stability of this solution rests entirely on the established mix of Kadyrov's personal loyalty to Putin and on "resource flows" – between the centre and Grozny, and between Kadyrov and republican elites – is sustained within the larger model of neopatrimonial governance observed above.<sup>516</sup>

### **III.8.4.3 Dagestan**

In Dagestan, limited condition-centric structural and conciliatory measures found in the previous period have disappeared since the killing of Sheikh Efendi Chirkeisky in August 2012, and even more so after Ramazan Abdulatipov's takeover of the presidency from Magomedov in January 2013 (HRW 2015b, 19-23). Counter-terrorism in the republic has largely assumed

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<sup>514</sup> (e.g. Halbach 2018, 5; ICG 2012a, 15; 2015a, 15-18; Kuchins et al. 2011, 8; Laruelle 2017; Malashenko 2008, 36-37; RFE/RL 2010c; Russell 2008; 2011a, 1074, 1084-1085; Slider 2008, 194-195).

<sup>515</sup> (Arutunyan 2018; Halbach 2018, 5, 27-28, 31; Melikishvili 2016; Souleimanov and Aliyev 2017; Stratfor 2017a).

<sup>516</sup> (Koehler et al. 2016, 385; see Holland 2016, 51; ICG 2015b, 4; Laruelle 2017, 11-12, 27-28; Melikishvili 2016, 35; Pokalova 2015, 109, 131, 179; 2017, 618; Souleimanov and Aliyev 2016, 398-403; 2017).

the character of a heavy-handed coercive approach that discriminates widely against the broader Salafi community with incidents of (selective) conciliation too few to deduce the existence of a larger conciliatory or condition-centric policy. Magomedov's experiments of fostering dialogue between moderate Salafis and the Sufi DUMD and the unsuccessful attempt at selective conciliation of former fighters through the Commission for the Rehabilitation of Former Fighters (III.8.2.3) were abandoned following the assassination of famous Sufi Sheikh Said Efendi Chirkeisky by the RAS in August 2012.<sup>517</sup> Shortly thereafter, Magomedov announced the creation of local volunteer militias reported to have escalated violence even against moderate Salafi families and drawn up hitlists for extrajudicial killings.<sup>518</sup> In 2013, Magomedov was replaced by Abdulatipov, an ethnic Avar who had lived away from Dagestan for two decades, expected "to pave the ground for a breakthrough in the war against insurgents in Dagestan" (Souleimanov 2013) and end the infighting between different economic interest groups in Moscow and Makhachkala.<sup>519</sup> De facto, he held little of the socio-economic modernisation promises he made at the outset and relied on traditional clanship mechanisms instead.<sup>520</sup> One of Abdulatipov's first moves was to abandon the Commission for the Rehabilitation of Former Fighters and replace it by a commission dealing with both prevention and reintegration, which took several years to pick up work.<sup>521</sup> His invitation "to throw Salafis into the river" (quoted in Zhemukhov et al. 2018, 215) epitomises his abandonment of the conciliatory approach. Instead, he embarked on a systematic campaign of coercion that has deployed excessively forceful means against an excessively wide target group of Salafis: CTO have been conducted frequently, after 2010's re-deployment of 20,000 federal troops to Dagestan<sup>522</sup> jointly by federal and local security forces and have varied in geographical extent, sometimes targeting individual households, sometimes entire villages, and in duration, from hours to months (HRW 2015b, 28-41; Souleimanov 2016; 2017, 220-224). Large and intensive CTOs have been documented for Gimry (on and off for eight months starting in April 2013) and its neighbour village Vremenny (for two months starting in September 2014).<sup>523</sup> According to various reports, Dagestani coercive counter-terrorism has become reminiscent of the height of the Chechen CTO, involving filtration camps, DNA sampling, house demolitions, forced evictions and disappearances.<sup>524</sup> Even more Salafis are, in sharp contrast to Magomedov's

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<sup>517</sup> (de Carbonnel 2012; Galeotti 2014, 17; Halbach and Isaeva 2015, 25; HRW 2015b, 19-23, 86-87; Ibragimov, Magomed-Rasul and Matsuzato 2014, 295-300; Pokalova 2017, 620; RFE/RL 2011a, 2012b; Rybina and Sergeev 2012; Souleimanov and Aliyev 2016, 408, 413).

<sup>518</sup> (HRW 2015b, 21-22; RFE/RL 2012b, 2012g, 2014b; Souleimanov 2013).

<sup>519</sup> (see Halbach and Isaeva 2015, 25; Konarzewska 2018; RFE/RL 2013c; Zhemukhov et al. 2018, 215).

<sup>520</sup> (Goble 2018; Halbach and Isaeva 2015, 25-26; ICG 2018; Konarzewska 2018; RFE/RL 2014a).

<sup>521</sup> (de Carbonnel 2012; Galeotti 2014, 17; HRW 2015b, 19-22; Halbach and Isaeva 2015, 25; Ibragimov, Magomed-Rasul and Matsuzato 2014, 295-300; ICG 2018; Pokalova 2017, 620; RFE/RL 2011a, 2012b; Rybina and Sergeev 2012; Souleimanov and Aliyev 2016, 408, 413).

<sup>522</sup> (Dzutsati 2012; Souleimanov 2012; Souleimanov and Ehrmann 2012, 67-68).

<sup>523</sup> (CK 2013c; HRW 2015b, 28-41; Lokshina 2015; MemorialHRC 2013; RFE/RL 2014b; Souleimanov 2013; 2017, 220).

<sup>524</sup> (ibid and CK 2013a; 2013b; Halbach and Isaeva 2015, 26; ICG 2018; Souleimanov 2017, 222; Vatchagaev 2014c).

dialogue-oriented approach, affected by the use of prophylactic lists (*profuchet*) and the accordant treatment (see II.6.4.1, ICG 2016, 19). The list contained over 17,000 names in March 2015, some 6,600 of which were classified as Salafists; a year later, these figures had risen by several thousand each.<sup>525</sup>

Selective conciliation as described at II.3.4 has only been observed to a very limited degree in the 2012-2018 period. Another attempt at replicating Chechnya's model, this time with co-ethnic forces, failed in November 2012 (RFE/RL 2012a; USDOS 2013, 89). In 2014, a Centre for Countering Extremism opened in Derbent, which focuses on bringing home families of foreign fighters from Syria and Iraq, with some cases of militants seeking their help in returning to Dagestan, but it is a stand-alone initiative (ICG 2018). Another potential example is the "Gimry Agreement", concluded in February 2014, under which the republican government promised to finance the construction of a hospital and kindergarten and provide a number of other infrastructural services in return for the village population's assistance in locating, identifying and targeting insurgents (HRW 2015b, 32-33; RFE/RL 2014b). Some observers (Halbach and Isaeva 2015, 23) see the agreement as a sign of the republican government attempting to tackle the insurgency's soft underbelly in the sense of a mix of conciliatory and conditions-centric policy that seeks to remove and exploit the collaboration of "sympathisers" or "passive supporters" for intelligence purposes (II.3.5/3.4). Others (RFE/RL 2014b) view the agreement as discriminatory in nature because it makes provision of basic services, provided for free elsewhere, conditional. Yet, the agreement is unique and not emblematic of a larger conciliatory policy in any way.

In September 2017, Abdulatipov resigned, as he later admitted, under pressure from Moscow, having failed to tackle any of the priority problems he had identified to begin.<sup>526</sup> His successor Vladimir Vasilyev was without any previous ties to nor experience in the Caucasus, indicating a preference to send in an outsider to mitigate local interests impartially and represent the federal Power Vertikal.<sup>527</sup> Vasilyev's professional experience in counter-terrorism and the broader trend of appointing military veterans to civilian posts in the republic speaks of a renewed prioritisation of security and specifically counter-terrorism in the federal policy on Dagestan.<sup>528</sup>

#### **III.8.4.4 *Ingushetia***

Through a combination of targeted coercion, conciliatory and condition-centric policy and dialogue, Ingush President Yevkurov's counter-terrorism and stabilisation policy have

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<sup>525</sup> (Fuller, L. 2017b, quoting the Dagestani interior minister from Chernovik, *n.d.*; see Balmforth 2013; ICG 2016, 6, 19-20; 2018; HRW 2015b, 42-47; Mayetnaya 2017; Mazurova 2016, 4; Souleimanov 2017, 216-217; Vatchagaev 2016a; 2016b).

<sup>526</sup> (Aliyev, N. 2017; see Goble 2018; Konarzewska 2018).

<sup>527</sup> (*ibid* and also Halbach 2018, 9; Shtepa 2018).

<sup>528</sup> (*ibid*, notes 526-527).

produced the comparatively best results in the entire NCFD region over the last period (e.g. Aliyev, H. 2017; Fuller, L. 2016b; Zhemukhov et al. 2018, 216-217). By comparison outstanding is his engagement with the Salafi community. As indicated at III.8.3.4, he has made a point of distinguishing between peaceful, moderate Salafists and those who advocate and use violence to meet their ends, backing the former even against the muftiate to the effect that he was excommunicated in May 2018 (Aliyev, H. 2018b; Zhemukhov et al. 2018, 216-217). He has held his protective hand over Kamzat-hajj Chumakov, a moderate Salafi imam, despite the fact that the former has openly taken a critical stance against widespread corruption in government, civil administration and security services.<sup>529</sup> As Ratelle and Sokirianskaia (2018, 142) show, Ingushetia is a trailblazer in terms of counter-narratives online, unique across the NCFD, an example being the “Hard Ingush” You-Tube Channel which covers CTOs from the security service perspective in order to delegitimize perpetrators and legitimize counter-measures (see Paraszczuk 2015a).

When Yevkurov claimed the defeat of the Islamist insurgency in May 2015 (Fuller, L. 2016b), this may not have been the ultimate end of the struggle, but by that time his approach of embedding the selective use of force with a conciliatory approach towards Salafis and thus tackling their alienation as a condition had already proven successful (Dzutsati 2015b). One aspect has been his refraining from applying either *profuchet* (ICG 2016, 23) or the doctrine of collective responsibility (RFE/RL 2012c). Ingushetia’s Rehabilitation Commission is the only one in the region that remained functional through 2017 and also “the most successful” one (Pokalova 2017, 620; see ICG 2016, 34). Unsurprisingly, Yevkurov’s approach to foreign fighters has also been relatively conciliatory, at least rhetorically (Aliyev, H. 2018a). And while federal media have portrayed him in an exceptionally positive light, he is not an exceptionally popular leader locally, criticised for the inefficiency of law enforcement, failure to speed up economic growth and the conclusion of a land-swap agreement over border regions with Chechnya.<sup>530</sup>

#### **III.8.4.5 Interim conclusions (2012-2018)**

More than in the previous two periods, federal policy in and on the individual NCFD republics as well as their republican counter-terrorism policies have differed from each other. Chechnya has remained the most independent of the three with the degree of Islamisation and a foreign policy autonomy Kadyrov has seized for himself unprecedented elsewhere (III.8.4.2, e.g. ICG 2015a, 39). All these aspects have contributed to legitimating his power position locally as has his idiosyncratic state ideology (“Kadyrovism”) that uniquely unites a range of contradictory themes (e.g. Laruelle 2017). Meanwhile, his stance towards Salafis has been to equate them with and treat them as terrorists – with ruthless repression (e.g. ICG 2015a, 18-21). Republican

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<sup>529</sup>(Aliyev, H. 2018b; Fuller, L. 2015a; 2016a; RFE/RL 2012e; 2013d).

<sup>530</sup> (e.g. Fuller, L. 2015a; 2017a; Gershkovich 2018; Zhemukhov et al. 2018, 217-218).

counter-terrorism policy in Ingushetia continued to be the exact counter-example as Yevkurov continued on his previous dialogue-oriented approach towards Salafism and former fighters, combining the selective conciliation of radicals with the condition-centric policy of a general Islamisation (III.8.4.4, e.g. Zhemukhov et al. 2018, 216-218). Finally, in Dagestan, the last systematic attempts at selective conciliation ceased in 2013 with Magomedov's replacement by Abdulatipov who has embarked on a campaign of systematic coercion of Salafis while failing to achieve any major improvements in terms of socio-economic development (III.8.4.3, e.g. HRW 2015b, 21-22).

It is worthwhile comparing the three republic-internal approaches as well as the federal approach to them along three axes: (i) leadership autonomy as a form of federal process-based policy and (ii) socio-economic development and (iii) stance on Islamism or Islamisation as condition-centric policies. Leadership autonomy in counter-terrorism and politics and general has been unprecedentedly high in Chechnya, less so in Ingushetia and much less so in Dagestan (e.g. ICG 2015a, 39). In terms of socio-economic development as a form of what I have followed part of Schneckener's (2006) *structural counter-terrorism* and Crelinsten's (2014) "development model" in conceptualising as condition-centric policy, the federal focus on development has remained limited to what Holland (2016, 51-52) calls "the subsidization of the North Caucasus" (see III.8.4.1). This has yielded a comprehensive structural prevention policy only in Ingushetia. Its larger contribution in terms of stabilisation has been to provide the funds for each republic to finance its own mechanisms of co-optation (e.g. ICG 2015b, 4; Koehler et al. 2016, 385-386). This type of stabilisation can be conceived of as a form of process-based political-institutional one in the sense of co-optation through rent-sharing (Fjelde 2010). Yet, it does not consistently address any of the underlying grievances save for Chechens' quest for independence and indirectly sustaining the condition-centric measures developed by Yevkurov. Concerning Islam and Islamisation, the three republics expose significant variation in terms of the degree, existence and extent of radicalisation prevention (only Ingushetia), in leaning onto Islam as a source of political legitimacy (only Chechnya) and in conciliating versus persecuting Salafis (Ingushetia vs. Dagestan and Chechnya) (e.g. Zhemukhov et al. 2018, 207-218). Summarily, this variation indicates Putin's pragmatic stance towards security in the NCFD, accepting whatever works best. This renders the federal approach not a *structural* one per se even though it has made the governance structure a subject of policy, has involved the transfer of significant sums of money and has thereby as well as through the devolution of authority implicitly sustained condition-centric solutions in Chechnya and, moreso, in Ingushetia.

### III.8.5 Summary of "structural counter-terrorism"

Across time, Russian policy in the North Caucasus has, at least in a temporally and spatially confined manner, involved what I have conceptualised as *selective conciliation* (II.3.4,



Sederberg 1995) and as process-based and condition-centric types of what I have followed primarily Schneckener (2006) and Crelinsten (2014) in conceptualising as *structural counter-terrorism* (II.3.6). Yet these have not been flagged out and implemented as part of official federal counter-terrorism strategy. Ironically, the one component that was (Strategy-2025), was not specifically tailored to meet its goals and failed appreciably on all fronts; and that was because it failed to account for the dire security situation it had been sold as designed to ameliorate (III.8.3.1, e.g. Markedonov 2012, 105-108). The largest federal contributions to *structural counter-terrorism* in the NCFD have been of a facilitating nature. That is in the devolution of policy authority to the republican level, financial subsidies and the tolerance of various forms of Islamisation of everyday life in the republics. Contrary to Ware's (2011, 493, 497, 507) assertion that Chechenisation was "a template not only for the stabilisation of Chechnya, but for the long-term administration of its North Caucasian neighbours" (see King and Menon 2010, 27-31; Pain 2005b), my analysis shows that Chechenisation did not in fact become such template. That is because its three hallmarks of success were not or only partially observed in the other two republics: the selective conciliation of former rebels, the degree of republican autonomy and Islam(isation) policy.

In Chechnya, the selective conciliation of former fighters and their integration into the state structure was systematic, including the Kadyrovs, with the benefits of dividing and targeting the remainder of the movement (III.5.2.2, 6.2.2, 8.2.1, e.g. Pokalova 2017, 618). Selective conciliation in Dagestan was neither comparably comprehensive nor successful and came to a halt in 2012 (III.8.4.3, e.g. HRW 2015b, 21-22). In Ingushetia, selective conciliation has been consistent and successful (III.8.4.4, e.g. Pokalova 2017, 620) but distinct from Chechenisation in that the republican president was not a former insurgent but a seasoned federal COIN specialist (e.g. Markedonov 2009). The degree of selective conciliation is thus unique to Chechnya.

This ties in with a second point: the unique extent of autonomy wielded by Kadyrov as part of a strategic solution which Markedonov (quoted in Russell 2008, 675 from APN, *n.d.*) has coined as "separatist [...] under the Russian flag". Locally legitimating components of that solution are his performance on reconstruction and tackling unemployment (III.8.2.1, III.8.4.2, e.g. Halbach 2018, 24-25), the attainment of autonomy itself (III.8.3.2, e.g. Ware 2011, 499-500) and the propagation of Kadyrov's unique state ideology (e.g. ICG 2015a, 11-21; Laruelle 2017). Each of these facets on its own as well as the combination might ring oxymoronic in the Chechen context. Yet, the most important point for my analysis is how the selective conciliation of former "terrorists" through amnesties, first and foremost the Kadyrovs themselves, morphed into an institutionalised system of co-option of broader parts of the Chechen elites and society. That in turn factually produced condition-centric policy administered via political-institutional self-control on the ground (III.8.2.1). As to the question why such systematic conciliation and

direct as well as indirect structural prevention were possible: the extant literature relatively unanimously points to a mixture of federal funding and personal loyalty between Kadyrov and Putin as an ideal-type neopatrimonial relationship, so that autonomy can be granted in the formal sector because it is backed up in the informal.<sup>531</sup> Though resulting in less autonomy, the attribution of autonomy to inter-personal or network relationships and the allocation of federal funds is shared for the other republics, too (e.g. Baev 2018, 12; Koehler et al. 2016). Neopatrimonialism thus emerges as a more generic precondition of the process-based devolution of authority that indirectly facilitates condition-centric policy in the NCFD than any of the legitimacy resources I had envisaged at II.5.

The third and final component of success in Chechnya and Ingushetia relates to the Islamisation of everyday life and politics. Despite the different theological approaches taken, different relationships between the muftiates and state structures and differing stances on Salafism (III.8.4, e.g. Hahn 2012, 50-58; Zhemukhov et al. 2018, 207-218), the NCFD has de facto islamised itself socially and politically with the very support of the Kremlin (e.g. Logvinov 2012, 182-185). This is a major condition-centric preventive measure. By admitting and institutionalising Islamism, it forestalls the need for at least the more moderate portion of believers to violently pursue their goals. This is extremely similar to what Schneckener (2006, 220-222) envisages as part of his conceptualisation of *structural counter-terrorism*. My proposition is that this has been possible because the Kremlin's new legitimisation strategy (III.3.4.1; Robinson 2018, 97-102) accommodates the various religious and religious-political orientations within its "multi-ethnic and multi-religious" conceptualisation of Russia as a civilisation (Putin 2013b) as long as they do not overtly challenge the larger frame. Again, Kadyrov as the most extreme is also the best example because his idiosyncratic state ideology embraces patriotism and mobilisation for that frame (ICG 2015a, 11-21; Laruelle 2017).

## III.9 Case Summary

### III.9.1 The overall pattern

Over the 1999-2018 period, Russian counter-terrorism strategy has broadened tremendously and developed from a predominantly reactive approach into one that includes various means of prevention. It has transitioned from a coercive approach at the onset of the Chechen CTO, involving the indiscriminate use of armed force, into a comprehensive one – albeit not in the "comprehensive" sense of e.g. Crelinsten (2014) or involving much of Schneckener's (2006) or my own *structural counter-terrorism*, at least not directly at the federal level. It relies on coercion under an *expanded criminal justice* approach in the sense of Pedahzur and Ranstorp (2001; II.3.3) but also encompasses various communicative measures. Some of these are aimed at preventing the spread of ideologies understood to be constitutive of and underlying

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<sup>531</sup> (e.g. Dannreuther and March 2008, 105-106; Holland 2016, 51, 58; Kuchins et al. 2011, 18-19; Vatchagaev 2009a).

terrorism in an actor-centric sense while others are target-centric in garnering resilience in general (Korte 2019a). There are also selective conciliatory and process-based (political-institutional) structural tools that have indirectly permitted condition-centric prevention via the devolution of power to some of the NCFD republican heads. This has inter alia resulted in substantive Islamisation across the region. Although neither of these conciliatory and structural measures have been flagged out specifically as counter-terrorism measures at federal level, they are both substantive and effective.

Across the strategy's pillars, not only a concurrence but a relationship between counter-terrorism strategy and the (changing) characteristics of the Russian political system and its (re)sources of legitimacy are observed. Counter-terrorism was the most significant policy area in which performance was tied to Putin's consolidation of power and legitimacy as a leader since his ascendance to the presidency in connection with the Chechen CTO (III.3.2 e.g. Baev 2006b). Via the reframed terrorist threat to incorporate the Crimean and then the Syrian intervention as counter-terrorism engagement – though this time external, so largely outside the scope of my investigation – that pattern remained intact through 2018 (III.3.4 e.g. Baev 2018, 17-22). Moreover, especially in his first two terms, counter-terrorism was a highly compelling reason in the justification of substantive reforms to the political system towards centralising power in the Power Vertikal, for co-optive cadre policy and institutional reforms (III.5.2-3, e.g. Lemaître 2006; Petrov 2005). These reforms have permitted the institutionalisation of the influence of Putin's main support constituencies and their balancing against the interests of other *siloviki* in a manner fully consistent with Albrecht and Frankenger's (2010b) identification of *exclusive responsiveness* as a characteristic of authoritarian power relationships. From Medvedev's presidency onward, curbing the spread of ideology online as part of an actor-centric communicative policy has been one of the major arguments in favour of fencing the RuNet, where governmental discursive power has been leveraged by amending what I have followed Jungherr et al. (2019) in operationalising as the *regulatory environment* (III.7.4.1, e.g. Ermoshina and Musiani 2017, 42; Korte 2019a). My original conjecture was that governmental discursive power is an asset that may facilitate a broad counter-terrorism strategy (II.8.3). In Russia by contrast, it has been communicative counter-terrorism that promoted the leveraging of discursive power, indirectly aiding the government's resources for self-legitimation, beginning with amendments to both the *regulatory environment* and the degree of *political parallelism* to groom public opinion at the home-front in the early days of the Chechen CTO (III.7.2, e.g. Blank 2012, 21-22). Meanwhile, the political system itself, specifically the federal centralisation of power, the means of gathering intelligence and the government's growing discursive power have also facilitated the implementation of coercive, communicative and indirectly also of structural components of the counter-terrorism strategy. The next subsection evaluates the Paradigm in light of these

findings before the final subsection examines the connections between counter-terrorism and (re)sources of legitimacy in the case of Russia.

### III.9.2 The breadth of an authoritarian counter-terrorism strategy<sup>532</sup>

The Paradigm could easily be rejected based on the Russian case study alone. Although the use of force is still a core pillar of Russian strategy, it has developed tremendously over the time span examined. Initially, kinetic force was deployed in the framework of a conventional military approach that could be classified as an *armed conflict approach* following Crelinsten and Schmid (1992) or Crelinsten (1998; 2014), then embedded into a more discriminate strategy from 2001 (III.6.2, e.g. JWIT 2015a, 597). The *expanded criminal justice approach* (Pedahzur and Ranstorp 2001) evolved simultaneously. It combined the discriminate use of kinetic force, legally grounded in the ample provisions of 35-FZ of 2006 (III.4.2/6.2, e.g. Pokalova 2011, 158-161), with criminal justice tools, particularly in the 2012-2018 period (III.6.4, e.g. Kostromina 2018). The criminal justice component has been expanded by predating and expanding criminal liability to tackle preparatory activities from 2006 and to tackle extremism as the ideology underlying terrorism since 2012. This allows for the prevention of terrorism before it can only be pre-empted (III.4.4, see Korte 2018a). This graded and legally grounded use of force already breaks with the Paradigm even if it is acknowledged that the legal framework has been amended to facilitate just that and that the military still plays an active part in many CTOs. Meanwhile, the spatially confined invocation of an *armed conflict* paradigm and deployment of “special anti-terrorism units” does fall within Pedahzur and Ranstorp’s (2001) model framework.

Concerning the breadth of the non-coercive elements of counter-terrorism strategy, all three models (communicative, conciliatory, structural) have been implemented to different degrees over time, though not necessarily in implementation of an officially declared strategy. Communicative counter-terrorism has developed from information operations in support of the early conventional military engagement in Chechnya (III.7.2, e.g. Miakinkov 2011). It is now part of a comprehensive strategy that embraces both actor-centric and target-centric means of communicative counter-terrorism and operates in two dimensions (Korte 2019a). The first consists of what Ermoshina and Musiani (2017), following DeNardis and Musiani (2016), call “governance by infrastructure” through stakeholder registration and the imposition of *intermediary liability* (Maréchal 2017, 31-32, 34-35), e.g. through data localisation law. What I follow Jungherr et al. (2019) in operationalising as the *regulatory environment* has been amended with the aim of controlling access and “countering the dissemination of terrorist ideology” on the internet in the sense of the CCT (2009, 15b; III.4.4, 5.2.6 and 7.4). The second dimension consists of communicative activities within that space and falls into two areas of

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<sup>532</sup> The summary on communicative counter-terrorism in the second paragraph is partly based on Korte (2019a).

communicative counter-terrorism. One is what El-Mafalaani et al. (2016) would describe as *primary* or *secondary prevention* and Schmid (2013) as *preventive counter-radicalisation*. It takes place online, in the education sector (III.7.4.2, e.g. Kislyakov 2018) and in the Kremlin's careful positioning vis-à-vis Islam, enlisting and embracing values and leaders (III.7.3/7.4.2-3, e.g. Medvedev 2011b). That conforms to my notion of actor-centric communicative counter-terrorism. The other has been the embrace of so-called "traditional values", fitting the notion of target-centric resilience-raising in the sense of Coaffee's (2006) generic resilience and Crelinsten and Schmid's (1992) *internal psyops*: it addresses the public at large to reduce the prevailing order's vulnerability to the symbolic challenge conveyed by terrorism, much in the sense of Heath-Kelly (2015; here III.7.4).

Socio-economic development as a condition-centric type of what I have followed Schneckener (2006) and Crelinsten (2014) in conceptualising as *structural counter-terrorism* (II.3.5) could have been expanded subsequent to Medvedev's (e.g. 2009c) comparably consistent diagnosis of systemic causes. However, the CCT (2009) and Strategy-2025 (2010) both failed to constitute serious tools thereof (III.3.3, e.g. Markedonov 2012, 105-109). Rather, through financial transfers to the NCFD republican governments, the federal centre has indirectly sustained condition-centric policies that have varied substantially across the three republics examined. There, Ingushetia stands out for comprehensive conciliatory means and Yevkurov's legitimacy-oriented approach to condition-centric structural prevention (III.8.2.4/8.3.4, e.g. Zhemukhov et al. 2018, 216-218). Chechenisation is unique in that it combined the selective conciliation of former militants and their integration into state structures, most saliently the Kadyrov family itself, with politically-institutionally granting them tremendous autonomy (III.8, e.g. Koehler et al. 2016). That in turn has been used by Kadyrov to develop a unique condition-centric approach that combines elements of Islamisation, republican autonomy and Russian nationalism to sustain a strategic compromise (III.8.4.2, e.g. ICG 2015a, 11-27; Laruelle 2017; Russell 2008). So although there was little explicit *structural* counter-terrorism at federal level, it materialised in the NCFD indirectly. Its means were the granting and financing of substantive autonomy at the republican level (a process-based measure) in Chechnya, to a lesser degree in Ingushetia, and the freedoms to develop condition-centric policies but also to islamise everyday life and politics (condition-centric).

### **III.9.3 Russian counter-terrorism, the political system and legitimacy**

#### **III.9.3.1 Putin's counter-terrorism complex and performance legitimacy**

The redeployment of armed forces into Chechnya in autumn 1999 was a major factor in securing support for Putin's candidacy in the spring 2000 presidential elections. It allowed Putin to portray himself as Russia's defender and reap the benefits of rally 'round the flag effects, important to the extent that it is hard to imagine his election without the Chechen CTO (III.3.2.3, e.g. Pain 2005a, 70-73). The terrorism threat narrative was highly instrumental with respect to

the conduct of the war. The homogenising and demonising depiction of the terrorist enemy justified a coercive approach that mixed elements of the military and criminal justice paradigm while tearing down moral hurdles towards the indiscriminate use of force (III.3.2.3, e.g. Burger and Cheloukhine 2013, 3; Miakinkov 2011, 666-667). Repeated references to the defence of Russia's sovereignty, physical security and territorial integrity indicate a component of necessity in the defence of a *general interest*, guarding of which Beetham (2013, e.g. xiii, 82-90, 137-138) models as a system's utilitarian purpose (II.5.6.3; Korte 2018a). The publication of numbers of liquidated terrorist cells and the successful conclusion of the Chechen CTO in April 2009 have permitted the framing of counter-terrorism efforts to reclaim performance legitimacy from guarding that *general interest* (III.3.3.2/III.6, e.g. Henman 2012; Snetkov 2012, 531-534). Additionally, performance legitimacy has also been reclaimed for representing Russia's national interests in the international sphere, based on the framing of efforts in the NCFD, later Syria as part of the GWOT (III.3, e.g. Baev 2018, 17-22; Snetkov 2012, 525-530). The pursuit of "effective" counter-terrorism also permitted for justifying the institutionalisation of Putin's main political constituencies, particularly through cadre policy (III.5.3.1, e.g. Baev 2004a, 4-8) and the creation of the NAK with the FSB's powerful position within it (III.5.2.3, e.g. Luchterhandt 2006, 2-3). That cementation of what Albrecht and Frankenberger (2010b) call *exclusive responsiveness* shows how counter-terrorism is not just a function of the need to perform on the *general interests* of security, territorial integrity or the integrity of a community of values and an avenue for reclaiming performance legitimacy. In the Russian case, it can also be argued that counter-terrorism has in and of itself become a source of legitimacy because it has incidentally permitted for justifying reform to the political system itself, institutionalising a certain mode of legitimisation of power for good.

### **III.9.3.2 Verticalisation of power, cadre policy and balancing the *siloviki* – responsiveness, co-optation and neopatrimonialism**

Catalysed by the need for greater "unity" within government and the bodies implementing counter-terrorism, institutional reforms have altered Russia's systemic landscape for good. Beginning with the federal administrative reform in 2000, several other reforms in the course of counter-terrorism allowed the Kremlin to dispatch presidential plenipotentiaries to disempower regional and republican elites while using cadre policy to institutionalise Putin's political constituencies' influence and balance them against the interests of other *siloviki* factions (III.5.3.1, e.g. Baev 2004a, 4-8; Lemaître 2006). This exposes counter-terrorism as an avenue in which what Albrecht and Frankenberger (2010b) call *exclusive responsiveness* and co-optation meet to sustain and support the legitimisation of power. Cadre policy has been a lever of implementing the policy of the day, as seen from Medvedev's development-focussed appointments compared to Putin's appointment pattern which speaks of the supremacy of hard security (III.5.3, e.g. Holland et al. 2017, 617-619; Perovic 2006, 6-7). Cadre policy also speaks of the growth of neopatrimonial traits in the Russian system (e.g. Holland 2016, 51).

On the whole, in addition to my theoretical propositions in section II, *neopatrimonialism* emerges as an equally if not more important factor than my original propositions, marking the convergence of *exclusive responsiveness* and *co-optation* (III.8.2.3). The ability to tolerate alternative centres of power and assign them roles of responsibility in the system as part of selective conciliation in Chechnya and later process-based *structural counter-terrorism* (cf. Schneckener 2006) across the North Caucasus is not only a corollary of the pluralism which Beetham (2013, 157) sees as characteristic of multiparty systems or of their generic co-optive potential (II.5.9.2, e.g. Fjelde 2010, 203-204). Rather, it is the informal networks in the background that allow for the extent of transferring decision-making authority to potentially defective groups because they cushion the impact of an exercise of power that runs counter to the Kremlin's interests in the formal-institutional realm. And the very ability to use the formal-institutional distribution of power for co-optation by presidential prerogative was only leveraged in the course of the verticalisation of power which itself was justified in reference to counter-terrorism (e.g. Perovic 2006, 6-7). This is another case in point for two conjectures: that counter-terrorism policy reflects relations of what Albrecht and Frankenberger (2010b) call *exclusive responsiveness* (II.5.5.2) and for its utility to consolidate such influence institutionally to secure government legitimacy in the future, as proposed by Pavel Baev. Then, counter-terrorism is not only shaped by the standard (re)sources of systemic and governmental legitimation which open up a strategic repertoire from which the government can choose its policies. Rather, it is also seen to be a motor of change to the institutions that host the legitimation of power. This regards the co-optation potential, the relations of *exclusive responsiveness* and also popular responsiveness through the cementation of United Russia's position after several rounds of electoral reforms (III.5.3-4, e.g. Robinson 2018, 138-149; Ross, C. 2018). These observations tie in with Pepinsky's (2013) admonition to see authoritarian institutions not as factors either independent or dependent of policy variation but "as epiphenomena of" governance (II.5.9.3).

### III.9.3.3 *Discursive power*<sup>533</sup>

Like the justification of systemic changes in reference to the requirements of counter-terrorism, governmental discursive power has been leveraged in the course of counter-terrorism in order to facilitate broader communicative counter-terrorism policies. These have aided the implementation of self-legitimation strategies otherwise through the expansion of what I have followed Jungherr et al. (2019) in operationalising as *political parallelism* and the *regulatory environment*, both in recourse to the necessities of communicative counter-terrorism.

The first steps in changing the *regulatory environment* in autumn 1999, including changes to the accreditation system and media law, were driven by the need to portray federal

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<sup>533</sup> This subsection is partly based on Korte (2019a).

performance there in a favourable light to sustain the general public's support of the operation (III.7.2, e.g. Kim and Blank 2013, 924) and, connected, Putin's ascendance to power (e.g. Pain 2005a, 69-73). During the CTO, the degree of *political parallelism* grew to the extent that Putin could veto two rounds of legislative proposals that would have entailed censorship as a means of target-centric communication towards denial of attention and fear management. The media were not expected to jeopardise the Kremlin's communication strategy in that respect (III.7.2.2, e.g. Simons and Strovsky 2006, 203-207). Since recognition of the necessity to curb "the dissemination of terrorist ideology" (CCT 2009, 15b) towards actor-centric communication, the *regulatory environment* has been systematically amended for Roskomnadzor to surveil and control the RuNet in a comprehensive fashion, relying on "governance by infrastructure" (Ermoshina and Musiani 2017, based on DeNardis and Musiani 2016) as well as *intermediary liability* (Maréchal 2017, 31-32, 34-35) to the effect that it gets away without substantive censorship or mass prosecution of individuals (III.7.4.1, e.g. Soldatov 2017, 52).

That growing discursive power is, on the one hand, an asset for communicative counter-terrorism in that it allows for target-centric denial of attention and actor-centric prevention of radicalisation by deleting relevant content, cutting access or excluding relevant actors (III.7.4.1, e.g. Soldatov 2017). It has also empowered the government to promote "traditional values" and patriotism towards resilience-building and the prevention of radicalisation (III.7.4.2, e.g. Putin 2014d). Meanwhile, following Beetham's (2013) arguments on the *degree of self-closure*: a government with strong discursive power has more influence on how its performance is discursively evaluated. Here, the promotion of "traditional values" as part of resilience-building and counter-narratives ties in with the larger "ideational-identitarian arguments" (Kneuer 2017, 196-200) characteristic of the Kremlin's legitimation strategy since 2012 (Robinson 2018, 97-102). Since these communicative counter-terrorism measures coincidentally contribute to a values- and guardianship-based legitimation of power otherwise (III.7.4.2, e.g. Verkhovsky 2018), they are literally dual-use. These observations render my conjecture not true that governmental discursive power should, as a resource of legitimacy, function as a constraint of communicative counter-terrorism (II.8.2.3). Rather, governmental discursive power has been expanded in the very course of counter-terrorism to facilitate implementation of the former. In that sense, communicative counter-terrorism and discursive power as a resource of legitimacy are co-constitutive.

#### **III.9.3.4 *Co-optation and neopatrimonialism facilitate selective conciliation, process-based and condition-centric structural measures***

As the analysis of selective conciliation and what I have nominally followed Schneckener (2006) in referring to as *structural counter-terrorism* at III.6 and III.8 shows, most of the elements encountered were not part of a policy formulated at the federal level. Rather, condition-centric structural policy was either directly implicated in the handing down of authority as a process-



based measure (primarily in Chechnya) or resulted indirectly from it (Ingushetia and, prior to 2012, Dagestan). Chechnya is the strongest case in point since what began as the selective conciliation of amnestied rebels turned into the process-based devolution of power to them (III.5.5.2, e.g. Dannreuther and March 2008, 103-105). That in and of itself tacitly constituted a condition-centric policy since it dealt away with the need to fight for independence and Islamisation using terrorist means. Especially in the contexts of the Chechen amnesties, the Kadyrovs and the relationship between republican presidents and respective elites, the concept of co-optation is often encountered either verbatim (e.g. in Holland 2016, 51; ICG 2015b; Koehler et al. 2016; Pokalova 2015, 109, 131) or at least implicitly (e.g. Ware 2011, 499-500). Since buying them off with rents or granting policy concessions incentivises their commitment to a power relationship, that notion is consistent with the understanding of co-optation I developed based inter alia on Reuter and Robertson (2015) at II.5.9. In that case, it could be argued that the capacity to administer those various conciliatory, condition-centric and process-based counter-measures might stem from the systemic capacity to co-opt, as was suggested by Fjelde (2010, 198-204) and Wilson and Piazza (2013, 945-946, 951-953; II.5.9.3. above).

However, with respect to policy autonomy as the process-based condition of perpetual selective conciliation and condition-centric policies at republican level, the examples of Kadyrov – exceptional though it is in many ways – and to a lesser extent Yevkurov demonstrate that neither solution was just about money or federal policy concessions. Scholars have also pointed to their loyalty as not only something that is granted in return, but as part of the conditions for the receipt of that autonomy in the first place. This is noted most often with the Kadyrovs.<sup>534</sup> Yet clearly, with the appointment of relative “outsiders” like Yevkurov (Ingushetia, 2008-2018) or Vasilyev (Dagestan, 2018-2020) or at least initially presumed to be clan-neutral distant Kremlin affiliates like Abdulatipov (Dagestan, 2013-2018), that loyalty preceded their appointment. Then, co-optation is conceptually inappropriate because it insinuates a defective potential at elite level where there is none. Rather, Neopatrimonialism – i.e. the combination of responsibility transfers in the formal-institutional sphere with financial and personal loyalty backup in the informal<sup>535</sup> – emerges as the more generic precondition of the process-based devolution of authority that indirectly facilitated condition-centric policy in the NCFD. That includes but is not limited to co-optation. Such devolution of power would not be possible absent the federal M-PEA system (according to Wahman et al. 2013; 2017). It permits or is even characterised by the existence and balancing of different interests and centres of power (II.5.8.2; Beetham 2013, 157; II.8, e.g. Fjelde 2010, 203-204). However, in addition to my

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<sup>534</sup> (e.g. Cornell 2012, 145-146; Dannreuther and March 2008, 105-106; Halbach 2018, 6, 13-15, 30-31; Laruelle 2017, 8, 11-12)

<sup>535</sup> (Erdmann and Engel 2007; Holland 2016, 58; Mommsen 2017, 58-61; Robinson 2018, 250-256 citing Erdmann and Engel 2006).

hypotheses in part II, the processes characterising neopatrimonialism emerge as another legitimacy (re)source that coheres with and capacitates the *structural counter-terrorism* observed in the NCFD. Then, the case shows that on top of an M-PEA's characteristic tolerance of alternative centres of power, the abilities to co-opt, grant systematic concessions (condition-centric measures) or devolve power (process-based) as part of counter-terrorism are co-constitutive with the system's neopatrimonial traits. Meanwhile, as discussed at III.5.3 and 9.3.2, this very capacity was only partly gained through the presidential personnel prerogatives that developed in the course of counter-terrorism related reforms to the federal institutional structure.

## **IV CHINA**



## IV.1 Case introduction<sup>536</sup>

Unlike Chechen terrorism that most European newsreaders knew at least something about after the Budyonnovsk hostage crisis in 1995, the Xinjiang Uyghur Autonomous Region (XUAR) in Western China was a remotely exotic place at that time. Coverage of the political activism and indeed terrorist activity perpetrated by Uyghur ethno-separatists, sometimes referencing Islam, was rarely encountered, at best en passant in the writings of area specialists but certainly not in the terrorism literature. Terrorism and counter-terrorism in China have become more a matter of media and academic interest since Beijing's retrospective opening-up about events in the 1990s and reframing of its narrative to cast its Western-most province as a theatre in the GWOT after 9/11. Due to that unexpected turn in the narrative, many have challenged the position that what China encountered and encounters in XUAR was or is terrorism at all as well as the true magnitude of that threat (e.g. Clarke, M. 2008). However, attacks against civilians for political purposes have always been part of the repertoire of political activists in XUAR who initially pursued ethno-separatism but gradually adopted a jihadist outlook in the 2000s (e.g. Mumford 2018; Tschantret 2018). In my perception, there is also a bias towards overstating the use of coercion as a general tool of governing and suppressing an entire ethnic group. Correct as reports of human rights violations may be, an evaluation should subject those numbers to considerations of scale, representativeness and comparison to counter-terrorism efforts globally before jumping to conclusions. Here, my analysis exposes a strategy that is to all intents and purposes comprehensive and has been so from the onset of my period of analysis.

The baseline for this broad strategy has been an understanding of terrorism as a tactic situated within an ideational threat complex referred to as the "Three Evils" of terrorism, separatism and religious extremism (TSE; IV.3.3.2, e.g. Chung 2006, 77-78). Section IV.3 explores the development of that threat understanding across time. It mainly concludes that Beijing has understood TSE as a threat to its legitimacy in terms of security as one of Beetham's *general interests* and in terms of national unity and economic development as two goals or processes pivotal to CCP ideology. In full accordance with that broad-front threat, the CCP has in turn applied the core developmental concepts contained in ideology as diagnostic frameworks and designed its counter-terrorism efforts compliant therewith. This is particularly the case in the realms of communicative counter-terrorism through education and propaganda (IV.8) and ethnic policy and socio-economic development (IV.10) as instances of what I partly follow Schneckener (2006) in modelling as *structural counter-terrorism*. Based on an initial and still-valid diagnosis of TSE as rooted in conditions of "class struggle under new historical conditions" (Wang, Lequan 1997b, 60; see IV.3.2/IV.10), those measures methodologically tie in with the acceleration of that class struggle according to the dialectic materialist conceptualisation of

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<sup>536</sup> This section is partly based on a blogpost I published after preliminary research in 2016 (Korte 2016c).

progress as enshrined in CCP ideology (IV.3.2.1; IV.10 e.g. Kerr and Swinton 2008, 119-120; Zang 2015, 22-25, 30, 151).

The structure of this case study deviates from the Russian one because China's counter-terrorism efforts have included comprehensive governance of XUAR Uyghur Islam. Initially, that was based on its diagnosis as an organisational staging ground for ethno-separatism, but efforts intensified in accordance with the later shift in emphasis from the ethnic separatism to the religious extremism component within the TSE frame and its stylisation as a national security threat in its own right (IV.3.4.2/7.3-4, e.g. Klimeš 2018, 419-421). That shift went hand in hand with the morphing of communicative and psychologically coercive counter-terrorism into one in the so-called "de-extremification campaign" since 2014, which is why a separate section deals with combined efforts in that phase (IV.9). The sections internally follow a chronological structure according to either benchmark events related to TSE (the Baren Uprising in 1990, the 9/11 attacks on the US in 2001, the Urumqi riots in July 2009, the Second Xinjiang Work Forum in 2014) or related to a leadership transition in the Chinese Communist Party (CCP) (2002 as the beginning of the Hu-Wen era or Fourth Generation leadership, 2012 as the beginning of the Xi era or Fifth Generation), depending on policy developments in each area of counter-terrorism.

Overall, I demonstrate the development of a comprehensive counter-terrorism strategy constructed in accordance with the contemporaneous diagnosis of what terrorism is, how it works and how it threatens the party-state and its ideologically grounded legitimisation. Ideology is found to be the single-most important factor in understanding Chinese counter-terrorism. It raises the party-state's vulnerability but also comes with a number of assets. These lie, first, in ideology's diagnostic and framing potential within what Holbig (2011a; 2011b; 2015; 2018) identifies as the CCP's characteristic "crisis mode". Secondly, they derive from running a system that is, as Beetham (2013, 157) puts it, designed to maintain "a monopoly of truth in the realm of doctrine, and a monopoly of organisation in the sphere of political activity." When it comes to the CCP's (re)sources of legitimacy and their role in counter-terrorism, the co-extensiveness of party and state is an asset for implementing all types of counter-terrorism models. The CCP's discursive power plays an important role in facilitating communicative counter-terrorism but has, both in terms of the subject-matter and geographically in XUAR, also been expanded in reference to TSE.

## IV.2 The development of ethno-separatist and Islamist terrorism in XUAR

### IV.2.1 Xinjiang's Uyghurs and their grievances in historic perspective<sup>537</sup>

The Uyghur minority, accounting for just over half of XUAR's 15 million inhabitants, traditionally is a very heterogeneous nomad clan people, adhering to a mixture of Hanafite Islam, Sufism and folk traditions. Islam arrived in the region between the 8<sup>th</sup> and 10<sup>th</sup> century and became the dominant religion in the 14<sup>th</sup> but with strong Sufi influences.<sup>538</sup> As a Turkic people, Uyghurs are ethnically, culturally and linguistically much closer to the Turkic peoples of Central Asia than to China, and the relationship with central China has been difficult since the conquest of "the new frontier" (literal translation of Chinese *Xinjiang*) in the 18<sup>th</sup> century.<sup>539</sup> There were two separate periods of independence in the early 20<sup>th</sup> century: The first East Turkestan Republic (ETR) was very small and short-lived (November 1933 to February 1934), a non-theocratic project, incorporating the reformist policies of Jadidism.<sup>540</sup> The Second ETR (1944-1949) was territorially larger, supported by the Soviet Union and once again more nationalist than Islamist in orientation.<sup>541</sup> Since XUAR's integration into the PRC after the Guomindang's conquest in 1949, central policy has almost always curbed *and* spurred Uyghur aspirations for independence simultaneously. Heterogenous as the Uyghurs are as a group, the formation of a collective identity is often recognised to have taken shape under Maoist, later CCP minority policy, which designated the inhabitants of the region a minority nationality and granted it the status of an ethnic autonomous region in 1955.<sup>542</sup> The, both the unification of Uyghur ethnic identity and the emancipation of separatist demands with the eventual adoption of terrorist means were multifactorial developments. Some of the factors recognised as important in the genesis of political violence – initially separatist, later with Islamist infusions - are the foreign (Chinese) ascribed unifying title and related territorially administered preferential treatment, Beijing's steered migration policies as well as geographic, ethnic and linguistic segregation from the Han Chinese.<sup>543</sup> Analyses have also pointed to the impact of what is in the terrorism-context referred to as *relative deprivation*, social exclusion in spite of formally preferential

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<sup>537</sup> This entire section (IV.2) is partly based on, updates and expands the content of two lectures I gave at the Akademie für politische Bildung Tutzing in November 2015 (Korte 2015) and January 2016 (Korte 2016a) and a blogpost published in October 2016 (Korte 2016c).

<sup>538</sup> (Dillon 2004, 11-17; Gladney 1998, 3-4; 2003, 456; Purbrick 2017, 237; Toops 2000, 157-158). They are not to be confused with the Hui, a much more sinicised Islamic minority that is dispersed all over China (e.g. Crane 2014; Friedrichs 2017; Gladney 2003, 453; 2007; Wellens 2009, 451-452).

<sup>539</sup> (e.g. Fu, J. 2016, 193-194; Fuller, G. and Lipman 2004, 326-328; Harris, C. 1993, 112-114; Hyer 2006, 78, 80; Korte 2016c; LeBlanc 2010, 2-4; Moneyhon 2002, 124-127; Rogers 2018, 493-494; Rotar 2004; Thamm 2008, 169-180).

<sup>540</sup> (Chung 2002, 9; Fu, J. 2016, 193; Kuo 2012, 538; Li, Y. and Niemann 2016, 589; Millward 2004, 4-5, 9).

<sup>541</sup> (Chung 2002, 9; Davis, A. 1996a, 417; Fu, J. 2016, 193-194; Kuo 2012, 538; Li, Y. and Niemann 2016, 589; Millward 2004, 5).

<sup>542</sup> (e.g. Aslam and Yu 2016, 45-49; Barbour and Jones 2013, 102-103; Bovington 2004a, 4; 2004b, 117; 2010, 43; Gladney 1998, 4; 2003, 456-457; 2004, 103-108; Korte 2016c; Qiu 2016, 46-47).

<sup>543</sup> (e.g. Becquelin 2000; Bovington 2004a; Cao, X. et al. 2018, 123; Hastings 2011, 895; Korte 2016c; Leibold 2016; Mackerras 2001; Millward 2004, 6-8; see IV.4.3.3, IV.10).

policies<sup>544</sup> and to Xinjiang's securitisation and repressive policies by the party-state.<sup>545</sup> A point of agreement among scholars is that special treatment based on the designation as an ethnic minority has perpetuated and reinforced rather than ameliorated the ethnic segregation, discrimination, ethnic and religious consciousness and anti-Han and anti-China sentiments among Uyghurs that ultimately gave rise to current day ethno-separatist as well as jihadist terrorism emanating from the region, with Chinese scholars Ma Rong, Fu Jen-Kun, Hu Angang and Hu Lianhe making the last point particularly strong.<sup>546</sup> Meanwhile, assimilationist ethnic policy coupled with the fact that many of the rights of the system of regional autonomy, which is, as pointed out by Gladney (2004, 106), geared for autonomy and explicitly not self-determination, are symbolic rather than actionable in the Chinese party-state, has further fuelled resentments.<sup>547</sup> Initially liberal policies towards Islam were reversed for the first time in 1957 and particularly from the Cultural Revolution onwards, the space for the exercise of religion became extremely narrow.<sup>548</sup> Against that backdrop, clashes between Uyghurs and ethnic Hans, encouraged to populate the area as part of the system of production and construction corps, as well as with Chinese security forces were sporadic throughout the next three decades (Dreyer 2005, 72; Kuo 2012, 538-539). Yet initially, these incidents were not terrorist in the sense of tactically using violence or its threat against civilians and instrumentalising the ensuing climate of fear for the purpose of communication (II.2).

#### IV.2.2 The formation of Uyghur nationalist resistance<sup>549</sup>

The disintegration of the Soviet Union and the independence of neighbouring Kazakhstan, Kyrgyzstan and Tajikistan externally exemplified the option of having a country of one's own.<sup>550</sup> The democratic weight of Uyghurs shrunk with continued Han migration, drawn to exploit the fossil fuel reservoirs in Southern Xinjiang's Tarim Basin, while the income gap between Han and Uyghurs grew as did the sense of disappropriation as revenues benefited the Han capital investors and workforce rather than Uyghurs – a point causing much discontent to this day.<sup>551</sup> At the same time, Islam was experiencing a revival and cross-border infusions. Under Deng, there had been a relaxation of central party policy towards Islam, which had included passage

<sup>544</sup> (e.g. Cao, X. et al. 2018; Cliff 2016; Davis, A. 1996a, 418; Wayne 2009, 260; Wu, Xiaogang and Song 2013, 4; Zhao, T. 2010, 40; see IV.10).

<sup>545</sup> (e.g. Abuza 2017; Hastings 2011, 895; Li, Y. and Niemann 2016, 590-591; Roberts 2018; Tschantret 2018 see IV.3, IV.6).

<sup>546</sup> (e.g. Barbour and Jones 2013, 102-103; Bovingdon 2004a, 4, 12-17; Gladney 1998, 4; Ma, R. 2010; 2011; Leibold 2012; 2014a; 2016, 234-236; 2018a; Sautman 2012; Warikoo 2010, 4; 2016, 161; see IV.10).

<sup>547</sup> (e.g. Bovingdon 2002, 56-62; Clarke, M. 2008, 280-281; Cliff 2016; Lundberg 2009, 399-411, 419-422; Lundberg and Zhou 2009, 275-276, 319; Ma, R. 2010, 52; Moneyhon 2002, 135-144, 151-152; Zang 2015, 97-102; see IV.10).

<sup>548</sup> (e.g. Bovingdon 2004a, 6; Lutfi 2004a; Sharma 2016; see IV.7).

<sup>549</sup> This subsection partly based on Korte (2015; 2016a; 2016c).

<sup>550</sup> (Becquelin 2000, 65-66; Chung 2002, 8; de Courcy 2000; Davis, A. 1996a, 418; Dreyer 2005, 69-72; JID 1991; Karniol 1993; Korte 2016c; LeBlanc 2010; Mackerras 2001, 300-301; Mumford 2018, 19; Roberts 2004, 229-230; Tanner and Bellacqua 2016, 14; Tschantret 2018, 575).

<sup>551</sup> (e.g. Becquelin 2000, 80-83; Bovingdon 2002, 45; 2004a, 39-40; Cao, X. et al. 2018; Clarke, M. 2007, 73; 2008, 278-279; Cliff 2016; Davis, A. 1996a, 418; Dreyer 2005, 82; Radnitz and Roberts 2013; Stratfor 2011e; Zhu, Y. and Blachford 2016; see IV.10.3.1).



of *halal* laws, granting religious holidays to Muslims, reintroduction of Arabic script for the Uyghur language and encouragement of Muslims to forge cross-border ties with neighbouring countries and the Middle East, including for Xinjiang Muslims to make *hajj* and study in Pakistani *madrassas*.<sup>552</sup> Trade with Afghanistan and Pakistan was flourishing along the new Karakoram highway opened in 1982 and 1986, as was the exchange of ideas along with goods as part of the Double Opening policy; contacts between Uyghurs from Xinjiang and nationalist groups emerging in the neighbour countries flourished, too.<sup>553</sup> Exchange with radical Islamist thinkers came easily as China supported the Afghan *mujaheddin* against Russia.<sup>554</sup>

Against the backdrop of the already tense interethnic situation in the province, the perceivably growing influence of Han in XUAR and the foreign-inspired Islamic revival, a number of small groups formed to resist Chinese rule. Their goals reached from Uyghur self-determination through more autonomy within the Chinese state to the pursuit of an independent Uyghur state of East Turkistan. Some preferred violent, others non-violent means of attaining these goals and they articulated different degrees of reference to Islam. From 1989, an independence movement led by Ziyauddin Yusuf advocated the establishment of an independent Muslim state on the territory of XUAR (JWIT 2015b, 348, 354); yet its organisational consolidation and preparedness to use terrorist means can only be ascertained from 1997, when Hasan Mahsum became leader and since when the group has been recognised as East Turkistan Independence Movement (ETIM).<sup>555</sup> Other, purportedly non-violent organisations formed in the early 1990s were the East Turkestan Committee and the Uighurstan Organisation of Freedom.<sup>556</sup> Although Salafi-jihadist elements likely did exist given the documented links to the Taliban, the Islamic Movement of Uzbekistan (IMU) and Al-Qaeda (here contested),<sup>557</sup> it would be an overstatement and undue homogenisation of the Uyghur identity landscape to present the nascent resistance as a unified one, let alone an Islamist or even Jihadist one.<sup>558</sup> On the one hand, there are the cultural and doctrinal discrepancies between the Hanafi *maddhab* of Sunnism prevalent in Xinjiang and the Hanbali *maddhab* which Salafism belongs to (Dwyer 2005, 3-4; Kuo 2012, 531-532). On the other hand, Uyghur identity itself is a very

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<sup>552</sup> (Clarke, M. 2008, 276; 2015, 128; Davis, A. 1996a, 418-419; Haider 2005, 525-526; Harris, C. 1993, 120; Harris, R. and Isa 2018, 2-3; Kuo 2012, 529-530; Mackerras 2001, 295-296; Smith Finley 2007, 642-646; "Xinjiang White Paper" 2015, VII).

<sup>553</sup> (Clarke, M. 2007, 61-62; 2008, 277-278; Davis, A. 1996a, 419; 2003; Haider 2005, 523-524, 529-533; Kuo 2012, 530; Roberts 2004, 226-232; Rogers 2018, 494-495; Smith Finley 2007, 642-643).

<sup>554</sup> (Bedi 2002; Clarke, M. 2007, 48-49; Haider 2005, 530; Lutfi 2004b; Malik 2002, 256, 260; Rogers 2018, 494-496; Warikoo 2016, 173; You 2004).

<sup>555</sup> (BBC 2013; JWIT 2015b, 348; LeBlanc 2010; Millward 2004, 23-24; Roberts 2012, 9; Stratfor 2003; 2008f). See also Reed and Raschke (2010) for an entire book on ETIM.

<sup>556</sup> (Davis, A. 1996a, 417-418; Karniol 1993; Millward 2004, 25-26; Thamm 2008, 187-189; Warikoo 2016, 170-171). For a good overview of the different groups and their orientations, see Bovingdon (2010, 138-146) and Reed and Raschke (2010, chapt. 2).

<sup>557</sup> (Clarke, M. 2008, 292-295; Cloud and Johnson 2004; Dreyer 2005, 78; JID 2001d; JWIT 2015b, 354; 2015c; LeBlanc 2010; Millward 2004, 23-24; Potter, Philip 2013, 73; Sirrs 2001; Stratfor 2000; 2008f; cf. Roberts 2012).

<sup>558</sup> (Becquelin 2000, 89-90; Dwyer 2005, 3-4; Fu, J. 2016, 200-201; JIAA 2000b; Kuo 2012; Mackerras 2001, 298; Millward 2004, 14; Steele and Kuo 2007, 10-11).

heterogenous concept which does include steady references to Islam, but being a Muslim is not the consistently dominant characteristic of self-ascribed Uyghurness.<sup>559</sup> Accordingly, even as political violence began to shake XUAR in the early 1990s, a description of the Uyghur resistance to Chinese rule as homogenous in identification and goals and as consistently Islamic, let alone Salafi or Salafi-jihadist, misrepresents the internal heterogeneity of the ethnic group (Reed and Raschke 2010, 29-30). Rather, for much of the 1990s and probably until terrorist threats issued with definitive Jihadist references in the run-up to the 2008 Beijing Olympics, the terrorist threat in and emanating from XUAR was ethno-separatist first and Islamist, if initially at all, only second.<sup>560</sup>

### IV.2.3 Uyghur terrorist activity in the 1990s<sup>561</sup>

The first large-scale incident of political violence in XUAR was the Baren Uprising in April 1990. Although accounts of the event vary, the cause of the so-called uprising is commonly denominated as the demonstration of 50 to 200 Uyghurs for more religious freedoms on 4 April and the dispersion of a public prayer crowd by the authorities on 5 April. Uyghur diaspora accounts of the event report that on 6 April, the Chinese government sent in the PLA and militia, followed by 200,000 anti-riot troops from Lanzhou the next day, that martial law was declared and that the state “used tanks and fighters to bomb townships” to a death toll of 1600, 1000 of those Uyghurs and 600 police and soldiers.<sup>562</sup> Chinese reports of fatalities are in the range of 22 to 50 (Davis, A. 1996a, 420). This event is acknowledged by the CCP as the beginning of a common story of TSE in Xinjiang although, by other definitions, events at Baren might have been referred to as an uprising or instance of ethnic unrest (“Impunity” 2002).

That decade, Xinjiang experienced three more waves of increased political violence and terrorist activity. The second wave was in 1992 and 1993, with bomb attacks against civilian targets including stores, buses and a cinema *inter alia* in Kashgar and Urumqi.<sup>563</sup> These events are often seen in connection with the adoption and subsequent enforcement of new regulations on religious policy in the early 1990s (Al 1992, 1.3; Davis, A. 1996a, 420-421). The third wave lasted from spring 1996 through March 1997 and involved several bus bombings. Its beginnings coincide with the formation of the Shanghai Five with the goal of countering TSE, the commencement of talks about China’s WTO succession, the implementation of a revised and far more restrictive religious policy and with the first “strike hard campaign”, which in XUAR

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<sup>559</sup> (e.g. Dwyer 2005, 3; Fuller, G. and Lipman 2004, 338-341; Gladney 1998, 4; 2003, 455-457; 2004, 109-110; HRW 2005a, 7-8; Kuo 2012, 536-537; Mackerras 2001, 296-298; Rudelson 1997; Shichor 2005, 127-128; Steele and Kuo 2007, 10-11).

<sup>560</sup> (e.g. Becquelin 2000, 89-90; Haider 2005, 534; Kuo 2012, 540-541; LeBlanc 2010, 1; Millward 2004, viii, 29; Roberts 2012, 10; Shichor 2005; Smith Finley 2007; Steele and Kuo 2007, 10-11).

<sup>561</sup> This subsection partly based on Korte (2015; 2016a; 2016c).

<sup>562</sup> (ETIC 1993; for similar accounts see e.g. Al 1992, 1.3; Clarke, M. 2007, 77-80; Davis, A. 1996a, 420; Hastings 2011, 900; Kuo 2012, 539-540; Millward 2004, 14-15; Stratfor 2008f; Vicziany 2003, 248-250).

<sup>563</sup> (Davis, A. 1996a, 420; Dillon 2004, 67-68; JID 1992a; Karniol 1993; Millward 2004, viii, 15; Steele and Kuo 2007, 7).

specifically targeted separatists and eventually had 57,000 Uyghurs arrested on related charges (Millward 2004, viii-ix, 15-17; Vicziany 2003, 252). A peak event in that period inside Xinjiang was the February 5 “Ghulja Incident” (Yining): Here, Uyghur demonstrators voicing religious slogans reminiscent of jihadi language as well as anti-Han slogans demonstrated how intermingled religious and ethnic motivations were.<sup>564</sup> During the mourning period for Deng Xiaoping in February 1997, three bombs were detonated on buses in Urumqi, killing nine (Davis, A. 2003, 11; “Impunity” 2002). On 7 March 1997, a bomb-attack occurred on a bus in Beijing, taking the intentional killing of civilians to communicate a political message to China proper (Bovingdon 2002, 39-40; Dreyer 2001; Millward 2004, 18). In the fourth spike in July and August 1998, bomb attacks took place in Khotan during Jiang Zemin’s Xinjiang visit and lethal attacks were carried out against members of the Public Security Bureau and the People’s Armed Police (PAP) in Kashgar (Millward 2004, 18; Stratfor 1998). The 1998 bombings were the last incidents of large-scale political violence until 2008.<sup>565</sup> Since in the 1990s (and again later), Uyghur militants used violence against civilians to further their political goals, I classify this as terrorism by the standards outlined at II.2, specifically as terrorism that was ethno-separatist first and Islamist, if it was at all initially, second.<sup>566</sup>

#### IV.2.4 Ethno-separatist and nascent Jihadist terrorism from 2008<sup>567</sup>

After a decade of calm, terrorism returned to China in the run-up to the Summer 2008 Beijing Olympics. On 7 March 2008, a flight from Urumqi to Beijing was forced to make an emergency landing after inflammable material was found on board.<sup>568</sup> On 21 July 2008, twin bus bombings in Yunnan killed two civilians and wounded 14 (Stratfor 2008b). This incident is significant not for its casualties but because it was claimed by the Turkistan Islamic Party (TIP) in a video released online in April, in which the group also threatened the upcoming Olympics.<sup>569</sup> Unfortunately, there is a substantial amount of confusion as to whether TIP is merely another name for ETIM,<sup>570</sup> its direct successor organisation (a position taken by the Chinese and US governments),<sup>571</sup> an offshoot (CEP 2020, 2) or an altogether different organisation. The latter is not unlikely given the time lag between Hassan Mahsum’s assassination in 2003 and TIP’s appearance in 2008 (McGregor 2010; Xu et al. 2014). However, since then, TIP has been the major terrorist actor in the province (Korte 2016c) and it has developed a profile of its own. As

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<sup>564</sup> (Al 2010, 9; Bovingdon 2002, 39; 2004a, 8; Dillon 2004, 68-69; Kuo 2012, 540).

<sup>565</sup> (Bovingdon 2010, 114; Chung 2006, 75, 58; Clarke, M. 2008, 283-284, 295; Hastings 2011, 899, 909-911; Kan 2010, 21; Millward 2004, vii-ix, 32; Pokalova 2013, 288; Roberts 2012, 19-24; 2018, 240; Tschantret 2018, 578-579).

<sup>566</sup> (e.g. Chung 2006; Davis, A. 1996a, 420-421; Haider 2005, 524, 534; Hastings 2011, 893-894; Korte 2016c; Kuo 2012; Millward 2004, 29; Tschantret 2018, 576-577; Vicziany 2003, 249-253; cf. Odgaard and Nielsen 2014, 535-536 taking an insurgency approach; cf. Clarke, M. 2008; Reed and Raschke 2010, chapt. 2; Roberts 2012, 11-13; 2018, 233; and Steele and Kuo 2007, 7, taking issue with the terrorist character).

<sup>567</sup> This subsection partly based on Korte (2015; 2016a; 2016c).

<sup>568</sup> (JWIT 2015b, 350; Le Mière 2008a; Stratfor 2008g; Wang, Shacheng 2013, 67).

<sup>569</sup> (Cai 2014, 51; JWIT 2015b, 350; Stratfor 2008c; Zenn 2018).

<sup>570</sup> (Botobekov 2016; JWIT 2015b, 348; Potter, Philip 2013, 72).

<sup>571</sup> (Baker and Minnich 2014; Clarke, M. 2015, 132-133; JTSM 2010b; Mumford 2018; Yu 2009).

far as the Olympic are concerned, despite more threats to the event via various online channels and worries in Beijing, the event went incident-free, but terrorist activity in XUAR increased through August 2008, killing at least 22 PAP and police officers in the course of four attacks.<sup>572</sup> Moreover, perpetrators claiming to be TIP claimed several other incidents across China including bus bombings in Kunming and Shanghai and a tractor bombing in Zhejiang province.<sup>573</sup> While the attacks in summer 2008 were technologically rudimentary, manifestos or banners found on the perpetrators and TIP videos released online pay tribute to an ideological and tactical evolution inside the militancy.<sup>574</sup> Perpetrators expressed a clear commitment to jihad, but they also appeared to be focussed locally on the East Turkistan cause rather than both locally and globally like Al Qaeda.<sup>575</sup>

In July 2009, riots shook Urumqi resulting in what is commonly appreciated as “the worst ethnic violence in PRC history”.<sup>576</sup> On 26 June 2009, following an online incident, Han workers at a Shaoguan toy factory had stormed the dorms of Uyghur workers and beat to death two, eventually injuring over 100, according to official statistics.<sup>577</sup> To protest official handling and cover-up of the Shaoguan incident and against working conditions for Uyghurs sent to Eastern China more generally, roughly 1000 protesters marched towards Urumqi’s Peoples’ Square on 5 July 2009.<sup>578</sup> They were met with full force by security forces, including the use of live fire, in what resulted in over 190 deaths and days of repeated escalations of interethnic violence between Uyghurs and Hans.<sup>579</sup> After a string of over one thousand hypodermic syringe stabbings through August and September, Han residents began to protest for XUAR Party Chief Wang Lequan to step down since he had failed to resolve either situation.<sup>580</sup> In contrast to the official narrative of foreign-sponsored Jihadist terrorism (IV.3.3, e.g. Barbour and Jones 2013), non-Chinese observers tend to classify the Urumqi riots as inter-ethnic violence rather than acts of terrorism.<sup>581</sup> Millward (2009, 355) also points out that the Urumqi protests were uncharacteristic for TIP’s acts of terrorism otherwise: locals protesting work conditions and the official handling of the Shaoguan incident were “flying the Chinese flag [...] expressing their desire to work within the system, not to separate from it”. Ironically, however, the governments’ claims of foreign Islamist involvement may have turned into a self-fulfilling prophecy,

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<sup>572</sup> (Jamestown 2008c; JTSM 2008a; 2008b; JWIT 2015b, 350, 352-353; Le Mière 2008b; Roberts 2012, 10, 22-23; 2018, 241-242; Stratfor 2008a; 2008i; Tschantret 2018, 579-580).

<sup>573</sup> (Baker 2008; Cui, S. and Li 2011, 153-154; JWIT 2015b, 350; Roberts 2012, 22).

<sup>574</sup> (Baker 2008; Hastings 2011, 910-911; Roberts 2012, 11; Stratfor 2008a; 2008e).

<sup>575</sup> (Baker 2008; Roberts 2012, 10, 14; Stratfor 2008e; cf. Trédaniel and Lee 2018, 185 who emphasise the global jihad nature).

<sup>576</sup> (Roberts 2018, 242; see CQCD 2009a, 1135; Millward 2009, 349; Roberts 2012, 15; Tschantret 2018, 582; Warikoo 2016, 176).

<sup>577</sup> (AI 2010, 11; Fu, J. 2016, 198-199; JIW 2009h; Millward 2009, 349-351; Smith Finley 2011, 74-75; Stratfor 2009b).

<sup>578</sup> (AI 2010, 12-13; Barbour and Jones 2013, 95-96; Millward 2009, 351-352; Smith Finley 2011, 75-77).

<sup>579</sup> (AI 2010, 12-20; Barbour and Jones 2013, 95-96; Hao et al. 2009; Hu, Y. and Lei 2009; Millward 2009, 351-354; Roberts 2018, 242; Smith Finley 2011, 75-83; Stratfor 2009b).

<sup>580</sup> (AI 2010, 31; CQCD 2009a, 1138; Hastings 2011, 911-912; Millward 2009, 354; Smith Finley 2011, 84).

<sup>581</sup> (e.g. JIW 2009i; Millward 2009, 355; Roberts 2012, 23; 2018, 242-244).

particularly since 2008 (Pokalova 2013; Roberts 2018, 234, 238-243) as in the aftermath of the Urumqi riots, TIP did praise them (JWIT 2015b, 353; McGregor 2010), and in the second half of 2009 both AQIM and Al-Qaeda vocally expressed their interests in extending Jihad to Xinjiang and to China as a target.<sup>582</sup> The period until July 2011 was once more relatively calm except for an August 2010 explosion in Aksu (CQCD 2010c, 1053; JIR 2011, 55). From July 2011, terrorism began to pick up, primarily in XUAR's southern Kashgar and Hotan prefectures with an attack on a police station in Hotan on 18 July, when attackers carrying banners praising Allah killed 18, and an explosion and several shootouts on 30 and 31 July in Kashgar, killing 12.<sup>583</sup> Both events were officially blamed on ETIM and in September 2011 claimed by TIP in a martyrdom video.<sup>584</sup>

In the 2008-2013/2014 period, TIP's ideology and narrative exhibited a double orientation that was local anti-colonialist with nascent similarities with those of transnational organisations like Al Qaeda: Since July 2008, TIP has published its own Arabic-language magazine *Islamic Turkistan (Turkistan al-Islamiya)*; TIP's leaders – most prominently, Abdul Haq and his successors Abdul Shakoor and Abdullah Mansour<sup>585</sup> – began to address their constituency via TIP's own "Voice of Islam" (*Islam Awazi*) media centre, speaking of the "apostasy" enforced on Uyghur Muslims by "Chinese Colonialism" and the need "to conquer our own country and purify it of all infidels."<sup>586</sup> For that period, TIP is acknowledged to have had links with Al Qaeda and the IMU – personal, given Abdul Haq's rank within Al-Qaeda, and spiritual as showcased by multiple references by the groups to each other through their respective online media.<sup>587</sup> Yet, the turn to fully embrace Al Qaeda's global ideology and some of its stylistic elements took until late 2013.

#### IV.2.5 Local ethno-separatist and global jihadist terrorism since 2013/2014<sup>588</sup>

From mid-2013 onwards, TIP's activities escalated – a trend that lasted through 2014 and subsided again in 2015. In summer 2013, there were a number of deadly attacks on state officials in XUAR (e.g. JTSM 2013d; Lee 2014; Rotar 2013; Vandenbrink 2013). On 28 October 2013, an SUV ploughed into a group of pedestrians in Beijing's Tiananmen Square and exploded when colliding with a pillar just under Mao Zedong's portrait; the vehicle reportedly carried "a flag with 'extreme religious content'" and other material advocating East Turkistan

<sup>582</sup> (CQCD 2009a, 1142; 2009b, 238; JWIT 2015b, 351; Potter, Philip 2013, 82; Zambelis 2009; Zenn 2013, 54).

<sup>583</sup> (e.g. Collins 2015; CQCD 2011c, 1080; JIR 2012, 16; JTSM 2011b; Pantucci 2011; Stratfor 2011d; 2013c).

<sup>584</sup> (CQCD 2011c, 1080; JIR 2012, 16; JTSM 2011b; Pantucci 2011; Roberts 2012, 24; Stratfor 2011d; Zenn 2012).

<sup>585</sup> Abdul Haq al-Turkistani was reported killed by a CIA drone strike in North Waziristan on 15 February 2010 (JTSM 2010b; McGregor 2010) but resurfaced in May 2016 with a "special interview" video (Haq 2016; Zenn 2018). His (interim) successor Abdul Shakoor al-Turkistani was killed by a US drone strike in August 2012 (Stewart 2014a).

<sup>586</sup> (Mansour quoted in McGregor 2010 from Voice of Islam Media Center, 26 August 2009; see e.g. Ali 2016; JTSM 2009b; 2011b, 15; JWIT 2015b, 352-353; Stewart 2014a; Yu 2009; Zenn 2013; 2014a; 2018).

<sup>587</sup> (e.g. Giustozzi 2014, 21-22; Gohel 2014, 19; JTSM 2010b; JWIT 2015b; Korte 2016c; Potter, Philip 2013, 73-76; Stewart 2014a; Trédaniel and Lee 2018, 185; Xu et al. 2014; Zenn 2014a; 2018).

<sup>588</sup> This subsection partly based on Korte (2015; 2016a; 2016c).

independence, true to the known idiosyncratic mix of the two motivations.<sup>589</sup> The attack was later praised, not claimed, by Abdullah Mansour – then TIP’s leader – in an online video.<sup>590</sup> On 1 March 2014, eight Uyghurs stabbed passengers at Kunming railway station with knives, killing 29 people and wounding 143.<sup>591</sup> Again the perpetrators were carrying flags of an independent East Turkestan associating them with that cause and again the attack was praised but not claimed by TIP.<sup>592</sup> Both attacks were technologically rudimentary, but Tschantret (2018, 581-582) deduces from the relative frequency and lethality of the knife attacks that these were employed strategically from 2008. Pantucci (2014) diagnoses the “swarm attack” as TIP’s new signature tactic. In as much as they targeted random innocent civilians, these are clearly characteristic of terrorism.<sup>593</sup> Yet, with their distance from XUAR, Kunming being around 5,000 km from Kashgar, the attackers took their cause to the Chinese mainland and its Han population.<sup>594</sup> The acts also bore political symbolism: the Tiananmen Square attack for the symbolism of the location, the Kunming railway station attack at a politically sensitive timing just prior to the annual meetings of the Chinese National People’s Congress and the Consultative Conference (Gohel 2014, 16-17; Stratfor 2014h). Inside Xinjiang, 2014 was a lethal year, too, with an attack at Urumqi railway station in April, a suicide bombing in May, attacks on police stations, government offices and a high-ranking government-appointed imam in July as well as a series of bombings in September – some of them again claimed by TIP.<sup>595</sup>

Beyond Xinjiang in 2014, Al Qaeda included China in the list of its targets of choice (Keck 2014, quoting an article from Resurgence 2014), and IS Emir Abu Bakr al-Baghdadi also began referring to China and included Xinjiang in a map of the future caliphate.<sup>596</sup> The first Uyghurs reportedly participated in the Syrian civil war as early as February 2013 (Zenn 2013, 54). By 2015, reports spoke of several hundred Uyghurs in Syria, mostly fighting with JAN (Ali 2016; Soliev 2017, 15; Zenn 2018). Numbers cracked 2,000 in August 2016 (Botobekov 2016) and were estimated at 4,000 to 5,000 in May 2017.<sup>597</sup> IS itself appears to have been less attractive for Uyghurs although it has sought to piggyback the Uyghur cause by killing its Chinese hostage Fan Jinghui in November 2015 (Allen-Ebrahimian 2015; Ricking 2015), even publishing a Nasheed in Mandarin in December 2015 (CEP 2016; 2020, 2) and apparently

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<sup>589</sup> (Rajagopalan 2013; see e.g. Collins 2013; Jiang, S. and Hunt 2013; Stratfor 2013a; Zang 2015, 154; cf. Roberts 2013, for a more doubtful stance on the incident's terrorist character).

<sup>590</sup> (Dynon 2014; Mehsud and Golovnina 2014; Pantucci 2014, 55; Zenn 2014a; 2014b).

<sup>591</sup> (Stratfor 2014h; Trédaniel and Lee 2018, 188; Zang 2015, 154).

<sup>592</sup> (Clarke, M. 2015, 133; Gohel 2014, 18; Pantucci 2014; Stewart 2014a; Trédaniel and Lee 2018, 188; Zenn 2014b).

<sup>593</sup> (Baker and Minnich 2014; Clarke, M. 2015, 133-134; Gohel 2014, 20; Korte 2016c; Rippa 2013; Roberts 2018, 244-245; Stewart 2014a; Stratfor 2014h; Tanner and Bellacqua 2016, 33; Tiezzi 2014c; Tschantret 2018, 581-582).

<sup>594</sup> (Baker and Minnich 2014; Julienne et al. 2015a, 2015b; Pantucci 2014; Stewart 2014a; Stratfor 2014h; Tanner and Bellacqua 2016, 32-33; Tschantret 2018, 582; Zenn 2014b).

<sup>595</sup> (AFP 2014a; Al Jazeera 2014; BBC 2014; Blanchard 2014a; JWIT 2015b, 352; Rauhala 2014; Stratfor 2014a; 2014d; 2014i; 2014k; Tschantret 2018, 581; Xinhua 2014b, 2014d; Zang 2015, 155; Zenn 2014a).

<sup>596</sup> (Al-Baghdadi 2014; Abuza 2017; Allen-Ebrahimian 2015; Keck 2014; Olesen 2014).

<sup>597</sup> (AP 2017; Blanchard 2017; CEP 2020, 3; Hope 2018; SCMP 2017).

managing to attract some, as showcased by a video released in February or March 2017.<sup>598</sup> Meanwhile, TIP itself since 2015 increasingly encouraged Uyghurs to join the fight in Syria with several videos a month on *Islam Awazi* and via a new Telegram channel launched in August 2016 (Botobekov 2016; Zenn 2018). At the same time, the group positioned itself as anti-Chinese by appealing to causes of anti-Chinese resentment such as birth control policy, migration policy and repression in the course of counter-terrorism, paired with calls to jihad (Botobekov 2016). This emanates, for instance, from an interview with Abdullah Mansour in the aftermath of the Kunming attacks: “the fight against China is our Islamic responsibility and we have to fulfil it” (quoted in Mehsud and Golovnina 2014; Tiezzi 2014c). Similarly, in an audio message from May 2016, Abdul Haq, until then assumed killed in a February 2010 CIA drone strike, resurfaced and praised the contribution of Uyghur fighters with Jabhat Fath al-Sham but also reminded that “the soldiers of Islam must be willing to return to China to emancipate the western province of Xinjiang from the communist invaders” (quoted in Botobekov 2016 from *Islam Awazi*, *n.d.*). Thus, despite aligning itself with parts of the global jihadist scene organisationally and rhetorically (cf. Mumford 2018, 21-22), TIP did not lose sight of the local ethno-separatist jihad against China (Clarke, M. 2015, 133-134).

Operationally, that front became somewhat quiet from 2016 with the last larger-scale attacks for my period of analysis taking place in June and September 2015 (CEP 2020, 4). The former was a knife and explosives attack at a police checkpoint in Kashgar, killing at least 18 (Lipes 2015a; Reuters 2015); the latter was a knife attack at a coal mine in Aksu, killing 50 (Deutsche Welle 2015; Eckert 2015; Lipes 2015b). There were smaller attacks at a local CCP office on 28 December 2016 (China Daily 2017; Ng 2016) and a knife attack on civilians on 14 February 2017 (Chen, S. 2017; Ng 2017), but these are relatively minor incidents compared to 2014 and 2015. The period of calm from 2016 onwards is not to say that TIP’s threat to China has disappeared entirely. The East Turkistan militancy has laid low for an entire decade before so that the phase of calm might just fit the previously observed pattern of activity, fluctuating between dormancy under repression and sudden spikes in activity inside China when an opportunity presents itself, such as in 2008 and 2014 (Roberts 2018; Tschantret 2018, 253). On the other hand, the calming does parallel an intensification of surveillance and coercion (IV.9), so it may also be an effect thereof (e.g. Zakir 2018; see Buckley, C. 2018a).

#### IV.2.6 Summary<sup>599</sup>

Looking at the development of the type of terrorism emanating from XUAR over time, the groups’ ideological orientations and attack patterns, the terrorist threat currently presented by TIP is best characterised as a hybrid of locally anti-Chinese pro-independence terrorism with since 2008 also Islamist and later global-Jihadist tenets (e.g. Mumford 2018). The rhetoric of

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<sup>598</sup> (Abuza 2017; GlobalTimes 2017b; Simigh 2017, 53; Zenn 2018).

<sup>599</sup> This subsection partly based on Korte (2015; 2016a; 2016c).

TIP, when addressing its constituency inside China, and the presence of Uyghur fighters in Iraq and Syria as part of a TIP contingent to JAN/Fath al-Sham or on the side of IS suggest an outward-looking, global jihadist agenda, as does the history of Abdul Haq's long-time ties with Al Qaeda. At the same time, Uyghur terrorism was at least initially not primarily religious as seen from its historical development in opposition to Han conquest of the "new frontier" and CCP minority policy throughout the second half of the 20<sup>th</sup> century (e.g. Becquelin 2000, 89-90). Through 2018, TIP eminently understood itself as a national liberation movement from Chinese occupation with global jihadist ties and narrative but a local agenda first. This fits with the domestic targeting pattern that has included and at times focused on party-state and military institutions and infrastructure and with TIP's rhetoric of "Chinese colonialism". The terrorist threat emanating from XUAR is thus, at least in the shape it has taken since 2009, best characterised as a hybrid between locally-oriented ethno-separatist, sometimes anti-colonialist, and Islamist, sometimes global Jihadist, terrorism (e.g. Mumford 2018). While TIP's strength and organisational properties remain opaque to a large degree (JWIT 2017b), and the acts it has perpetrated have never been the high-visibility, highly organised and high-casualty type of 9/11, I share the impression of Mackerras (2014, 248) that XUAR "terrorism is anything but a phantom". It has through ETIM, TIP, lesser-known organisations and sometimes individuals maintained a low-level but existing threat of politically motivated lethal harm to civilians since 1990. This was epitomised by four spates of activity in XUAR in the 1990s, a wave of smaller acts in XUAR and China in 2008 and 2009, and a period of high activity between late 2013 and late 2015, again in XUAR and China.

### IV.3 Threat narrative

#### IV.3.1 Overview<sup>600</sup>

This section describes the Chinese narrative concerning the terrorist threat emanating from XUAR to explore how it has been understood to affect the CCP's ability to derive legitimacy from guarding what Beetham calls the *general interests* of security and welfare and to what extent reliance on ideology as a source of legitimacy plays a role for vulnerability. It also analyses how threat diagnosis and the proposed solutions fit with the larger patterns of legitimation in a system characterised by reliance on ideology. The section is split chronologically. IV.3.2 analyses the period from the Baren uprising in 1990 until shortly before 9/11, a period characterised by a comprehensive threat depiction under the triad of terrorism, separatism and religious extremism (TSE) but situated within the domestic issue of "counter-revolutionary" activities (e.g. Rodríguez-Merino 2018, 6-9). By contrast, the period after 9/11 through to mid-2009 saw an adjustment of the threat framing to emphasise Islamist and transnational components and the increased securitisation of the region at large (IV.3.3, e.g.

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<sup>600</sup> Section IV.3 is to a small part based on arguments on threat perception raised in Korte (2015; 2016a; 2016c; 2018a).



Shichor 2005). The last period, beginning with the Urumqi riots in July 2009, entailed the broadening of Uyghurs' securitisation, particularly in the context of the shift in emphasis on religious extremism as the dominant component in the TSE triad and stylisation into a security threat of its own, culminating in justifying the blanket coverage re-education campaign in XUAR that had its inceptions in 2014 (IV.3.4, e.g. Roberts 2018).

One of the main findings is that TSE is portrayed to pose a severe threat to the CCP's ability to perform on both generic *general interests* as well as those contained in its evolving ideology, there pertaining to the goals of national unification and socio-economic development (Korte 2016c). Both are developments from the leadership of which it derives what Beetham calls the legitimacy accrued from *rightful authorisation* (e.g. Holbig 2006). Another finding is that the solutions substantiate the CCP's leadership function via the nature of the measures taken (e.g. Kerr and Swinton 2008, 119-126) and via the anticipated results (see IV.10). The international dimension of the narrative is also seen as an important aspect where feedback contributes to domestic legitimacy via external representation (e.g. Holbig 2002; 2011a, 128-130).

### IV.3.2 The period between 1990 and 2001<sup>601</sup>

#### IV.3.2.1 The "three evils" as a threat to CCP legitimacy<sup>602</sup>

In the 1990s, incidents such as the Baren uprising were originally described as incidents of "beating, smashing and looting" (Wang, Lequan 1997a, 37, 41-42; Aisihaiti 1997) or as a "counterrevolutionary armed insurrection" (Amudong 1995, 14).<sup>603</sup> The term "terrorism", by contrast, has been documented as used in this context at least since 1995, when Amudong Niyazi (1995, 14), then chairman of the XUAR CCP Standing Committee, referred to a "series of cases of counterrevolutionary terrorism and provocation". Throughout the 1990s, the XUAR and Beijing governments strategically committed themselves to reticence. Matters of ethnic and religious policy were generally declared state secrets by the October 1995 Regulations on State Secrets and Specific Classification of Religion Work and the March 1995 Regulations on the Specific Scope of State Secrets and Classification of Ethnic Work<sup>604</sup>, but also in Document #7 – a 1996 classified Politburo meeting record describing the challenges of the situation in XUAR and outlining strategy, considered to be the 1990s' most important strategic document for XUAR (Becquelin 2000, 87-88). This logically affected the terrorism threat narrative by virtue of terrorism's connectedness to Uyghur ethno-separatists' ambitions (HRW 2005a, 30-31; see IV.3.3.2, e.g. Millward 2004, 11).

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<sup>601</sup> For the entire section IV.3.2 I analysed primarily speeches and documents translated by Ted Wang and published in two issues of *Chinese Law and Government* 43(1) and (2): Aisihaiti (1997), Amudong (1995), "Implementation Plan" (1997), Jianabuer (1997), Jiang Zemin (*N.d.*; 1990), "Opinions on #7" (1996), "Opinions on IRA" (1996), Wang Lequan (1997a; 1997b; 1998), "Work Program" (1996), Zhang Xiuming (1998), Zhou Shengtao (1997a; 1997b) as well as "Document #7" (1996, transl. by CACCP).

<sup>602</sup> This subsection contains two arguments on threat perception raised in Korte (2015; 2016a; 2016c; 2018a).

<sup>603</sup> (see AI 2010, 9; Dwyer 2005, 55; Harris, C. 1993, 117-118, 120-121; JID 1990; Millward 2004, 6; Rodríguez-Merino 2018, 6-9).

<sup>604</sup> Full-text translations of both in HRW (2005a, 101-105).

Both the terrorism lexicon and the notion of the “Three Evils” of terrorism, separatism and extremism were deployed more systematically from 1996 (e.g. Davis, A. 1996a, 421; Rodríguez-Merino 2018, 5), even though terrorism had been understood as part of a more complex set of phenomena related to ethno-separatism and religious extremism before (Chung 2006, 77-78). Within that complex, religion was depicted as instrumental to goal attainment rather than as an underlying ideology prescriptive of the goals for applying terrorism as a tactic; separatists were portrayed to use Islamic ideology, venues and institutions for mobilisation and organisation purposes to conduct terrorist attacks as their means.<sup>605</sup> Perpetrators were fiercely delegitimated as “criminals of the state and the nation and the common enemies of the people of all ethnicities” (“Opinions on #7” 1996, 21; see Wang 1997b, 62). While terrorism was described as the tool of ethnic separatists (e.g. Wang, Lequan “1997b, 56; “Work Program” 1996, 83-84), most documents and speeches in this phase focused on the components of ethnic separatism and so-called “illegal religious activities” as the most salient social stability threats. There, the Islamist element and even jihad were already present in the narrative albeit only instrumental.<sup>606</sup>

Since the overarching reason for examining the governmental threat narrative is to understand whether and how terrorism poses a threat to what Beetham calls the *general interests* performance on which is quintessential to sustaining legitimacy, thus rendering authoritarian counter-terrorism legitimacy-relevant, two elements in the threat narrative are especially significant: reference to foreign interference and depiction as a threat to social stability. Jiang Zemin (*N.d.*, 27), Amudong (1995, 14-15), the XUAR CCP Committee (“Opinions on #7” 1996, 20), its United Front Work Department (“Opinions on IRA” 1996, 82) and Wang Lequan (1997b, 57-59) all warned of a political programme identified as separatist and inspired by so-called “Pan-Islamism” and “Pan-Turkism”, ideologies sponsored by outside forces.<sup>607</sup> In that vein, the attacks in Yining in February 1997 were portrayed as “a reflection of, and a concerted action with, the schemes of the Western nations and hostile foreign forces to ‘Westernize’ and ‘divide’ us.”<sup>608</sup> There are at least four layers to that external attribution: deflection of responsibility and diversion of attention from other salient issues (Gladney 1998, 8-9; Kanat 2012), construction of a rallying point for anti-foreign nationalism and, overlapping with that, placement within the context of an ongoing ideological contest with the Capitalist West (Chung 2006, 78; Kanat 2012). At least the last three layers tie in well with the depiction of that threat as one to social

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<sup>605</sup> (e.g. Aisihaiti 1997, 29; Amudong 1995, 14; “Work Program” 1996, 83-84; Zhou, S. 1997b, 64; see Clarke, M. 2007, 81; 2011, 94, 105; Davis, A. 1996a, 421; Fu, H. 2012, 344-345; Vicziany 2003, 249-250; Wang, D. 1998, 5-6).

<sup>606</sup> (e.g. Aisihaiti 1997, 28; Jiang, Z. *N.d.*, 27; Wang, Lequan 1997a, 38; “Work Program” 1996, 83-84; Zhou, S. 1997b, 66; see also Tong 2010b, 5; Wang, D. 1998, 5; Warikoo 2016, 171-172).

<sup>607</sup> (see e.g. Clarke, M. 2007, 79-82; Davis, A. 1996a, 419; Dwyer 2005, 54; Harris, C. 1993, 118-119; Kerr and Swinton 2008, 127-128; Mackerras 2001, 294; Rodríguez-Merino 2018, 8, 11).

<sup>608</sup> (Jianabuer 1997, 23; see Aisihaiti 1997, 30; Wang, D. 1998, 9; Wang, Lequan 1998, 78; Zhou, S. 1997b, 66).

stability. They are full of trigger points when it comes to understanding how TSE threatened the CCP's legitimacy on a broad front in the 1990s.<sup>609</sup>

In threatening ethnic unity, XUAR terrorists struck a nerve with the CCP. According to the Preamble of her Constitution, "the People's Republic of China is a unitary multi-national state built up jointly by the people of all its nationalities" ("PRC Constitution" 1982; see "Autonomy Law" 1984). The various versions of CCP minority policy sought to reconcile the oxymoron via the dialectic logic of Historical Materialism: Mao (quoted in Sharma 2016, 52) had in 1957 declared "that the 'nationality question is basically a class question'": The presence of ethnic identities and differences were seen as characteristics of an interim period to disappear and merge into one national community with the progressive flow of history and common development.<sup>610</sup> After a brutally assimilationist phase in ethnic policy during the Cultural Revolution, in line with the generally radical eradication of "contradictions" in that phase (Barabantseva 2008, 580; Sharma 2016, 52; Zang 2015, 23-24), in 1978, the CCP officially turned away from radical class struggle as its central ideological mission, consequently ceased to treat the nationality question as a matter thereof and reversed some of the harsher assimilationist policies, but that did not make the problem disappear.<sup>611</sup> In the 1990s, China was still positioning itself as the socialist ideological counterproject to Western capitalism and as a group defined by external boundaries and common enemies, playing on the historic theme of humiliation and victimisation, attempting to align citizens' diverse perceptive with the state's performative (territorial) boundaries under the notion of a patriotic (*aiguo*) rather than ethnicity (*minzu*)-based nationalism.<sup>612</sup> A new solution was found in the form "of a two-tier nationality" that had Chinese nationalism as the overarching framework and 56 subordinate ethnic identities (Qiu 2016, 44-45), a change also reflected in the official nomenclature as recapped by Nicolas Becquelin:

The PRC's official translation for the term *minzu* (when designating *shaoshu minzu*) [...] changed to 'ethnic' in lieu of 'national.' Hence, the former 'Nationalities Affairs Commission' is now the 'Ethnic Affairs Commission,' and the PRC is now a 'multi-ethnic' country and not a 'multi-national' one. (Becquelin 2004, 359)<sup>613</sup>

When in 1996 the XUAR CCPC opined that efforts against TSE would be no less than "a life-and-death class struggle to safeguard the country's unity" ("Opinions on #7" 1996, 21), it

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<sup>609</sup> (e.g. Aisihaiti 1997, 30; "Opinions on #7" 1996, 20-21; Wang, Lequan 1997b; Zhou, S. 1997a, 51).

<sup>610</sup> (e.g. Barabantseva 2008; Becquelin 2004, 372-373; Leibold 2014b; Moneyhon 2002, 134; Wang, Shuping 2004, 163; Zang 2015, 18-28). An important underlying rationale is that of *ronghe*, explained by He Baogang (2004, 112, 111-121) as the fusion of minority ethnic and national groups with the Han "in a process of Confucian cultural diffusion" that entails learning and embracing the paternalistic, thus caring and knowledge-wise superior Hans' "civilised" ways, essentially towards assimilation (see Aslam and Yu 2016, 41-44; Barabantseva 2008; Zang 2015, 18-28; see IV.10.2).

<sup>611</sup> (e.g. Barabantseva 2008, 581-582; Clarke, M. 2007, 42-44; Gladney 2004, 110-111; Holbig 2015, 133; Zang 2015, 24-25, 150-151).

<sup>612</sup> (Brown and Berzina-Cerenkova 2018, 334; Callahan 2004; Dickson 2017, 33-37; Holbig and Gilley 2010, 396, 401-405; Sandby-Thomas 2015, 92-93; Zhao, S. 1998; 2005, 134-135).

<sup>613</sup> (see Barabantseva 2008, 582-583; Chung 2006, 86; Wang, Linzhu 2015, 3-4).

brought out the urgency of the challenge ethno-separatism posed to either of the two notions of nationality. Leibold (2016, 234-235) also emphasises both magnitude and centrality of this point in his argument that “in the post-Mao era ethnic and national frames (i.e. *minzu*) have replaced class as the dominant analytical paradigm, and *minzu* conflict (either domestic or international) is now viewed as the principal threat to China’s geobody” (see e.g. Smith Finley 2011, 81). This was all the more important considering the presence of separatist ambitions in other regions with the counter-examples of the dissolving Soviet Union and the Balkans on Beijing’s mind.<sup>614</sup> Meanwhile, the dialectic materialist logic to national unification had not disappeared and the social-revolutionary idea – now focussed on modernisation – was and still is the fulcrum of ideology (Holbig 2006; IV.3.3.1) so that any challenge to the party’s capacity to factually succeed on that endeavour was and is a challenge to the entire complex of its legitimation (Korte 2016c; 2018a).

Stability in XUAR was also important for three strategic reasons. The first is both geo-strategic and per its value to economic development especially legitimacy-relevant: XUAR is literally the gateway to Central Asia, and Beijing has sought to connect to those markets infrastructurally at least since the era of Double Opening in the 1990s, in part to meet its growing energy demand.<sup>615</sup> Economic development was, though the extent to which performance legitimacy derived therefrom was a singular source of legitimacy is contested, undoubtedly a *sine qua non* condition of the CCP’s legitimacy in the 1990s; that is particularly in consideration of what Zhao Dingxin and Yang (2013, 26) refer to as “the repression-induced legitimacy crisis” in the aftermath of the government’s handling of the Tiananmen Square protests in 1989.<sup>616</sup> On Deng Xiaoping’s policy agenda, each step was a prerequisite for the successful completion of the consecutive step: maintenance of peace was the priority condition, national unification came second and economic development third (Gupta, R. 2012, 808, 811). On the one hand, an unstable XUAR would not be able to develop and thus be a stain on the larger development portfolio (e.g. Gladney 2003, 459). As XUAR Party Secretary Wang Lequan (1997a, 37) asked: “Just think of it. When people outside this region learn about the extent of the turmoil here, will anyone dare to come and make investments?” On the other hand, XUAR in particular has been exceptionally important because of its rich energy resources, which Beijing hoped to exploit to cover at least a part of its growing energy demand domestically.<sup>617</sup> Hence, in threatening peace and stability, ethno-separatism and terrorism XUAR were threatening

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<sup>614</sup> (Chung 2006, 87; Gladney 2003, 460; Kanat 2016, 193-195; Korte 2016c; Leibold 2016; Purbrick 2017, 251-253; Tukmadiyeva 2013, 91-92; Wayne 2009, 253-255).

<sup>615</sup> (e.g. Becquelin 2000, 65-67; Gladney 2003, 459; 2004, 115-116; Harris, C. 1993, 115-117; Kanat 2016, 207-212; Korte 2016c; Moneyhon 2002, 120-121; Purbrick 2017, 250; Rogers 2018, 491-492; Stratfor 2013e; Tukmadiyeva 2013, 98-99; Van Wie Davis 2008, 24-25; see IV.10.3.1).

<sup>616</sup> (e.g. Brown and Berzina-Cerenkova 2018; Dickson 2017; Gilley and Holbig 2009; Gupta, R. 2012; Holbig and Gilley 2010; Sandby-Thomas 2015; Zhao, D. 2009; Zhao, D. and Yang 2013; Zhao, S. 2005; Zhu, Y. 2011).

<sup>617</sup> (Becquelin 2000, 65; Cai 2014, 52-53; Daly 2007, 3; Duan et al. 2016; Gladney 2004, 115-116; Harris, C. 1993, 116; Korte 2016c; Moneyhon 2002, 121; Purbrick 2017, 250-251; Stratfor 2013e; Tukmadiyeva 2013, 97-98; Warikoo 2016, 181; see IV.10.3).

several *general interests* of the CCP at once: security, territorial integrity, economic development and national unification.<sup>618</sup> The first three are generic by the standards of Beetham (2013, see II.5.3.4/5.6), while the third also and the fourth solely fall within the scope of system-specific *general interests* contained in ideology.

#### **IV.3.2.2 Diagnosis and solutions**<sup>619</sup>

A review of the most significant documents and speeches of this period<sup>620</sup> indicates that despite the allegations of foreign interference, the CCP took to understand the phenomenon of TSE as a complex with domestic components, for which it developed five main solutions (i-v),<sup>621</sup> at this point with a focus on ethnic separatism and so-called “illegal religious activities” rather than terrorism as a means. Digging out the semantic of “class struggle”, the “struggle against ethnic separatism” was portrayed as “a concentrated expression of the class struggle under new historical conditions” to overcome “contradictions within the people”.<sup>622</sup> Actually, by 1997, Michael Clarke (2011, 125), in contrast to Deng’s theory, sees a circular argument in the narrative that pits social stability and development as both requiring and facilitating each other. But then, that could be reconciled by the logic of Dialectic Materialism whereby contradictions are predominantly to be overcome through joint development, like national unification, so that two panaceas were (i) to accelerate XUAR’s economic development (e.g. Seymour 2000, 183-184) and (ii) an ethnic policy bent on national unification (Kerr and Swinton 2008, 119-126, see IV.10; Zang 2015, 22-25, 30, 151). Strategies of population management through strategic settlement by the XPCC were part of these two but articulated less openly (e.g. Becquelin 2004; see IV.4.3.3). A recurring theme speaking to the ethnic component of ethno-separatist violence was the need to train minority cadres (e.g. “Opinions on #7” 1996, 25). The appraisal that “Islam has become a tool for realizing independence” justified (iii) increasing oversight of and restrictions on the practice of Islam in XUAR (Wang, D. 1998, 5, 8; see IV.7). Related to the first three was (iv) the emphasis on patriotic education and ethnic unity propaganda as part of “the struggle in the ideological domain” (Zhang, Xiuming 1998, 75), justified by the argument that extremists “hoodwinked” ordinary people into their world views and activities (e.g. Aisihaiti 1997, 31-32).<sup>623</sup> One key underlying notion was and is to this day that TSE is a threat to the integrity of the CCP’s ideological and thus discourse-based legitimation such that counter-measures inevitably involve a range of efforts designed to reinstate the CCP’s discursive dominance (Korte 2018a). Finally, the theme of the “life-and-death class struggle” that “allows no room for the least compromise or concession” (“Opinions on #7” 1996, 21) has left no doubt

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<sup>618</sup> Torrey (2017) recognises at least the first two, see Korte (2016c).

<sup>619</sup> This subsection contains two arguments on threat perception raised in Korte (2015; 2016a; 2016c; 2018a).

<sup>620</sup> See note 601.

<sup>621</sup> (e.g. Gladney 1998; Harris, C. 1993; Kerr and Swinton 2008, 119-126; Wang, D. 1998).

<sup>622</sup> (Wang, Lequan 1997b, 60; “Opinions on #7” 1996, 21, 30-31; see Aisihaiti 1997, 29-30; Amudong 1995, 15; Zhou, S. 1997b, 65)

<sup>623</sup> (see “Opinions on #7” 1996, 29-30; Wang, Lequan 1997a, 37; Zhang, Xiuming 1998, 68-69, 74-76; see IV.8.2).

as to the essentiality of the crackdown seen in the course of strike-hard (*yanda*) campaigns with their thematic focus on terrorism in XUAR from 1996 onwards (e.g. Dillon 2004, 84-109; Gladney 1998, 6-8; Tong 2010a, 6-8; IV.6.2).

#### **IV.3.2.3 Interim conclusions (1990-2001)**

In this first period of analysis, the governmental narrative indicates that TSE were already understood as a comprehensive threat (IV.3.2.1, e.g. Chung 2006, 77-78) albeit with the focus on ethnic separatism and religious extremism, rather than terrorism as a tactic (Korte 2018a). TSE were depicted as threatening both generic *general interests* by Beetham's (2013) standards and such that relate specifically to CCP ideology as a source of and framework for normatively and discursively constructing CCP legitimacy (II.5.7.1, e.g. Holbig 2006; 2013), specifically economic development and national unification as the fulcrum of the development mission (Korte 2016c). Counter-terrorism emerges as a function of the preservation of legitimacy in light of these two sources thereof (performance and ideology). Problem diagnosis and solution also tie in with my expectation that ideology would be drawn on as a framework for constructing counter-terrorism strategy, here by embedding counter-efforts in the ongoing struggles for national unification and joint development (e.g. Kerr and Swinton 2008, 119-126; Zang 2015, 22-25, 30, 151).

#### **IV.3.3 The 2000s: from 9/11 to Urumqi (2001-2009)**

##### **IV.3.3.1 CCP Legitimacy in the 2000s**

The neoliberal reforms of the 1980s and 1990s and the unswerving focus on economic development in the run-up to China's WTO succession had not come without a range of side-effects nagging at the CCP's legitimacy base: rising income inequalities – in general as well as between coastal and inland regions – corruption, pollution, to name but a few examples.<sup>624</sup> Economic performance was, to some extent, exhausted, too unstable as a singular source of legitimacy and had given rise to other demands, necessitating a broadening of the CCP's legitimisation strategy.<sup>625</sup> An interesting take on that development is the broadened understanding of the CCP's performance legitimacy applied by Zhao Dingxin who includes "moral performance, economic performance and the defense of national interest (calls to patriotism and nationalism)."<sup>626</sup> Recalling Beetham's (2013, 11) understanding of legitimacy's grounding in socially constructed norms as per three criteria, here in particular the definition of *general interests* including but not limited to security and welfare, ideology's framework role transpires as vital both in the sum of and the individual definition processes of Zhao's components.<sup>627</sup>

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<sup>624</sup> (e.g. Brown and Berzina-Cerenkova 2018, 327-328; Gilley and Holbig 2009, 350-353; Guo 2003, 13-15; Zhao, D. 2009, 424-427; Zhao, D. and Yang 2013, 8-10, 32; Zhao, S. 2005, 133-134).

<sup>625</sup> (ibid and also Brady 2009, 438; Holbig 2006; Holbig and Gilley 2010, 399-400; Sandby-Thomas 2015, 90-91).

<sup>626</sup> (Zhao, D. 2009, 424, citing Zhao, D. 2001; see Zhao, D. and Yang 2013; Zhu, Y. 2011, 123-124, 135).

<sup>627</sup> (here Gilley and Holbig 2009; Holbig 2006, 2013; Holbig and Gilley 2010).

In the late 1990s and early 2000s, the notion of the “Three Represents” (*sange daibiao*) presented a refurbished version of the CCP’s ideological derivation of its *rightful authority* (Beetham 2013, also used by Holbig 2013) from representing the Chinese nation: The old Marxist-Leninist principle of popular sovereignty and leadership of the revolutionary struggle gave way to the CCP’s self-representation as the representative of all and as the innovative and adaptive “motor of history” (Holbig 2013, 70).<sup>628</sup> Introduced by Jiang Zemin in February 2000 and written into the CCP Constitution at the 16<sup>th</sup> Party Congress in 2002, the Three Represents originally stood for “the notion that the Chinese Communist Party represents the advanced productive forces, represents advanced culture, and represents the fundamental interests of the vast majority of the people” (Fewsmith 2003, 9). After a slight recalibration under Hu, the concept referred to a livelihood-based discourse with the person at the centre of development which has led to the implementation of various social welfare policies and infrastructure construction to ameliorate socio-economic inequalities.<sup>629</sup> Similarly, the “Scientific Concept of Development” (*kexue fazhan guan*) stands for the vision of socially balanced development and the modernisation of individual livelihoods as a goal according to whose attainment the CCP can ultimately portray itself as legitimate in an attempt to broaden its popular base.<sup>630</sup> As Holbig (2009, 49; 2015, 136-137) points out, the “scientific” part refers to an updated version of the justification of the CCP’s historic vanguard position as what Beetham (2013) calls the criterion of *rightful authorisation*, now emphasising innovation and adaptability instead of the formerly revolutionary struggle. The goal of a “Socialist Harmonious Society” (*shehui zhuyi hexie shehui*) entails the claim to socially balanced development based on recognition that contradictions and social tensions do, in fact, exist, again replicating the dialectic materialist logic.<sup>631</sup> Together with the image of harmony, the turn of the millennium was also characterised by a reorientation of national identity from outward-looking to more inward-looking – a “pragmatic nationalism” combining bottom-up and top-down tenets with the CCP as its representative – in part due to the incompatibility of anti-foreign, specifically anti-US, sentiment with the need for further integration into the world market required to sustain economic development and the declared policy goal of a peaceful rise.<sup>632</sup> Yet with that, the magnitude of the loss of image, in case this idea of a harmonious unitary nation is violently challenged, has grown (Kanat 2016, 206). The notion of harmony can now serve as a dividing

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<sup>628</sup> (see Gilley and Holbig 2009, 346-347; Guo 2003, 16; Holbig 2006, 2009; 2013, 68-72; Holbig and Gilley 2010, 406; Shambaugh 2008, 103-106; Zhu, Y. 2011, 126-128).

<sup>629</sup> (Brown and Berzina-Cerenkova 2018, 327-328; Fewsmith 2003, 2-3; Gilley and Holbig 2009, 351-352; Guo 2003, 16-18; Holbig 2006, 19-25; 2009, 41-43, 46-48; Holbig and Gilley 2010, 406; Lams 2018, 389-390; Sandby-Thomas 2015, 91-92; Shambaugh 2008, 111-115; Zhao, D. 2009, 427; Zhao, D. and Yang 2013, 33-34; Zhu, Y. 2011, 127-134).

<sup>630</sup> (Holbig 2006, 25-29; 2009, 48-50; 2013, 69; Holbig and Gilley 2010, 406).

<sup>631</sup> (Holbig 2006, 28; 2009, 50-53; 2013, 69-70; 2015, 137-139; Holbig and Gilley 2010, 407; Shambaugh 2008, 115-119).

<sup>632</sup> (Dickson 2017, 35-37; Holbig and Gilley 2010, 401-405; Kanat 2012, 2016; Sandby-Thomas 2015, 92-93; Stratfor 2007; Zhao, D. 2009, 425; Zhao, S. 2005).

line for othering and securitising anything or anyone that disturbs it (Brown and Berzina-Cerenkova 2018, 333). That argument can be made for any disturbance to what Zhu Yuchao (2011, 135) calls “the three pillars of China’s strategy of performance legitimacy [...] economic growth, social stability and national unity.”<sup>633</sup> Those are exactly the lines along which the governmental threat narrative indicates a susceptibility to legitimacy deficit induced by TSE (Korte 2016c).

#### **IV.3.3.2 Reframing and strategic realignment<sup>634</sup>**

Despite the references to TSE and adoption of according counter-measures in the 1990s even to the extent of pushing for the adoption of the Shanghai Convention on Combatting Terrorism, Separatism and Extremism in June 2001, prior to 9/11, Beijing was reluctant to openly talk about terrorism in XUAR. Just before 9/11, Wang Lequan and Abdulahat Abdurixit, XUAR government chairman, were quoted as saying that “Xinjiang is not a place of terror” and that “by no means is Xinjiang a place where violence and terrorist accidents take place very often”, epitomising Beijing’s outwardly tightlipped stance on sensitive issues.<sup>635</sup> After 9/11, the official narrative opened up, systematised and consolidated the rhetoric of an “East Turkistan” terrorist front that was more Islamist than ethno-separatist and that allowed Beijing to portray China’s counter-terrorist efforts as part of the GWOT. In two major documents released in 9/11’s aftermath – “Terrorist Activities Perpetrated by ‘Eastern Turkistan’ Organizations and their links with Osama bin Laden and the Taliban” (“Terrorist Activities” 2001) and “‘East Turkistan’ Terrorist Forces Cannot Get Away with Impunity” (“Impunity” 2002) – many XUAR incidents previously described as “counter-revolutionary” were re-classified as “terrorism”.<sup>636</sup> Back in 2001, Beijing began to point out links with the Taliban, that ETIM operatives had received training in Afghanistan, that OBL had personally met with ETIM leader Hasan Mahsum and promised financial assistance (e.g. “Terrorist Activities” 2001; Li, W. 2004, 332-335), portraying Uyghur political violence as part of the global jihad movement and Chinese counterefforts as part of the GWOT (e.g. Li, W. 2004, 332-335; Xiong 2004, 172-173).<sup>637</sup> Beijing has consistently maintained that it “opposes terrorism in any form” just as “the application of double standards” and emphasised its commitment to a collaborative international approach under the leadership of the UN (“Impunity” 2002, IV).<sup>638</sup>

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<sup>633</sup> (see Cong 2013, 917-919; Zhao, D. 2009; Zhao, D. and Yang 2013).

<sup>634</sup> This section is partly based on elements from Korte (2015; 2016a).

<sup>635</sup> (quoted in AI 2002, 10-11 from Ta Kong Pao/BBC, 4 September 2001; see e.g. Ash, L. 2002; Daly 2007, 2; Hill, J. 2002b; JID 2002c; Kerr and Swinton 2008, 125; Kuo 2012, 530; LeBlanc 2010, 7-8; Lutfi 2004b; Millward 2004, 11; Panda 2006, 201; Pokalova 2013, 288).

<sup>636</sup> (see Clarke, M. 2008, 282-294; Millward 2004, 11-14; Kanat 2016, 203-204; People’s Daily 2001; Pokalova 2013, 288-289; Rodríguez-Merino 2018, 5-6; Tanner and Bellacqua 2016, 24-30; Vicziany 2003, 244-245).

<sup>637</sup> (see e.g. Chung 2002, 9; Daly 2007, 2; Dwyer 2005, 54-57; Hastings 2011, 908-909; Hill, J. 2002a, 48; 2002b; LeBlanc 2010, 8; Pokalova 2013, 288-290; Rodríguez-Merino 2018; Stratfor 2001b).

<sup>638</sup> (similarly “Defence White Paper” 2002; 2006; 2009; Li, W. 2004, 335-336, 339-340; “Position Paper” 2005, II.2; Xinhua 2003; Xinhua 2002; Yang, H. 2004, 184-185; Xiong 2004, 171-173; see Bolt et al. 2008, 13-15; Lam 2001; Panda 2006, 203-206).



In light of previous claims that TSE in XUAR was instigated by the United States (IV.3.2.1, e.g. Amudong 1995, 15) and the fact that many Chinese even greeted the attacks or at least saw them as backlash to US misguided expansionism,<sup>639</sup> Jiang's siding with Bush seemed like the least obvious option. As I have noted elsewhere (Korte 2018a), observers primarily point to two rationales: first, breaking the perceived encirclement looming with the option of a US presence in Afghanistan, aiding rapprochement with the US and emancipating as a responsible and co-operative global player through participation in the GWOT;<sup>640</sup> secondly, fostering international aid for and acceptance of Chinese counter-efforts in XUAR in a global climate where Islamist terrorism had propelled the advancement of exceptionalist claims and practices more broadly.<sup>641</sup> It is in this light that scholars have carved out the possibility of Beijing's strategic framing.<sup>642</sup> The legitimating power of emancipation as an international player and the muting of external criticism on internal issues cannot be underestimated as part of the legitimacy-relevant representation of Chinese national interests to the outside at a time when revolutionary ideology could no longer and economic performance not single-handedly sustain the CCP's legitimation of power.<sup>643</sup>

#### **IV.3.3.3 Uyghurs' securitisation, solutions and legitimacy concerns<sup>644</sup>**

As a general rule, from 9/11 through 2015, Chinese politicians and strategic documents perpetually cultivated a sense of urgency when it came to the Islamo-separatist threat emanating from Xinjiang in which the Islamist/jihadist component came to the fore. "East Turkistan terrorist forces" were depicted as:

- "a serious threat to the security of the lives and property of the people of all China's ethnic groups, as well as to the country's social stability" ("Defence White Paper" 2002, VI),
- as "sabotag[ing] national unity" ("Impunity" 2002),
- as impediments to "upholding national security and unity, and [...] national development" ("Defence White Paper" 2006, II),

<sup>639</sup> (e.g. Dreyer 2001; He, S. 2016; Liu, Y. 2002, 71; Malik 2002, 260; Shen 2007; Shen and Liu 2009, 566; Wacker 2001, 1-2; Wang, Yizhou 2004, 306-308 raises that point for the deteriorating situation after the US intervention in Iraq; Luqiu and Yang 2018, 607 find that framing to be salient in CCTV international news coverage between 2005 and 2015).

<sup>640</sup> (e.g. Clarke, M. 2010; Herd et al. 2008, 98; Holbig 2002; Lam 2001; Malik 2002; Panda 2006, 200; Potter, Philip 2013, 77-78, 88-89; Stratfor 2002; Tanner and Bellacqua 2016, 23; Wacker 2001, 3).

<sup>641</sup> (e.g. Roberts 2018, 238-239; Hill, J. 2002b, 47-48; Rodríguez-Merino 2018, 2; Clarke, M. 2010; Cui, S. and Li 2011, 150-151; Davis, A. 2003, 11-12; Dynon 2014; JID 2001e; Lutfi 2004b; Malik 2002, 267-271; Pokalova 2013, 290-291; Potter, Philip 2013, 77-78; Stratfor 2001c; 2002). For my own discussion on exceptionalism in the GWOT, see my M.A. thesis (Korte 2013).

<sup>642</sup> (e.g. Clarke, M. 2010, 542-544; Kanat 2012; Millward 2009, 348-349; Roberts 2012, 16; 2018, 238; Rodríguez-Merino 2018; Shichor 2005). Dwyer's (2005, 50-57) discourse analysis of the association between Uyghurs and different elements of the three evils narrative substantiates this, as she finds a divide in the Chinese narratives between the international and the domestic sphere, whereby the terrorist association is stronger in the former so she finds "that this discourse on terrorism is actually intended for an international audience, not a domestic one" (57).

<sup>643</sup> (e.g. Gupta, R. 2012, 806-807; Holbig 2002; 2010, 244-248; 2011a, 128-130; 2011b, 178-180; 2013, 77; Yong 1998).

<sup>644</sup> This subsection contains arguments on threat perception raised in Korte (2015; 2016c; 2018a).

- “threats to China’s unity and security” more generally (“Defence White Paper“ 2009, I) or
- to “national security and social stability” (“Defence White Paper“ 2011, I; see Bolt et al. 2008, 12).

At one level, these depictions refer to TSE as a threat to what Beetham (2013) identifies as the generic *general interests* of security and a basic notion of welfare, thereby rendering the threat automatically a legitimacy-relevant one in as much as it challenges the government’s capacity to duly perform on those *general interests* as one of the criteria of legitimate power (II.5.3.4/5.6; here Cliff 2012, 90-91). At another level, buzzwords like “national unity”, “social stability”, “harmony” and “development” indicate the salience of the legitimacy threat at an ideological level – affecting pretty much any and all of the core themes in the CCP’s ideological legitimization narrative at the time (IV.3.3.1, e.g. Holbig 2013, 69-70). The 2009 White Paper on Ethnic Policy highlights particularly the connection between social stability and ethnic unity and the two’s logical indispensability to social progress and economic development:

The unity of all ethnic groups is an important prerequisite for social stability. Only such unity can stabilize and harmonize society, bring ease to the people’s lives and work, and guarantee the country’s long-lasting peace and safety [...]. Only unity can concentrate the strength of all the ethnic groups for the construction and development of the country, promote economic and social progress and improve the Chinese people’s lives. (“Ethnic Policy White Paper“ 2009, 231)

It is therefore quite logical how inter-ethnic relations in XUAR and the escalating challenge thereto in the form of TSE turned the region into a testcase for the CCP’s capacity to cash in on its broader ideological legitimization promises. The latter also emerges from the strategic significance which the region has occupied in the official narrative:

Xinjiang is an important strategic protective screen for China’s northwest, an important gateway for China’s opening to the outside, and also an important base of China’s strategic resources. Xinjiang’s development and stability concerns the nationwide situation of reform, development, and stability; it concerns the motherland’s unity, national solidarity, and state security; and it concerns the great rejuvenation of the Chinese nation. (Hu, J. 2006, 30)<sup>645</sup>

Beyond thus indicating the existence of a threat to any and all strategic *general interests*, generic and ideologically-defined, the post-9/11 narrative newly emphasised the Islamic component. East Turkistan forces were consistently portrayed as Islamist and part of the global jihadist scene, for instance, by Zhao Yongchen (2003) from the MPS Counter-Terrorism Bureau when explaining ETIC’s designation as a terrorist organisation (or “Impunity“ 2002; see e.g. Ash, L. 2002; Dwyer 2005, 54-55). Meanwhile, within the TSE narrative, the three theoretically separable notions of terrorism, separatism and religious extremism have been

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<sup>645</sup> (see “Freedom of Religious Belief“ 2016; Nur Bekri in 2010/2011 cited in “Tianshan Testimonial“ 2012, 86; “TEHR White Paper“ 2019; “Xinjiang White Paper“ 2003; 2009).

portrayed as a combined threat to the extent of becoming indistinguishable.<sup>646</sup> Despite the official position “oppos[ing] identifying terrorism with any specific country, ethnic group or religion” (Xinhua 2002; see Xinhua 2009d), a relatively indistinct representation of the organisational composition and aims of different parts of the Uyghur activist scene (Millward 2004, 13-14; Stratfor 2008d) spurred the securitisation of both the Uyghur ethnic minority and the region at large in official discourse – a point carved out particularly systematically in the discourse-analytical work of Barbour and Jones (2013) and Anand (2018).<sup>647</sup> Kanat (2012; 2016) also shows two related trends: first, how the wholesale securitisation added weight to the threat a potentially defective ethnic group poses to the already problematic idea of a unified nation composed of 56 subgroups of whichever denomination; second, how bolstering an “internal other” was useful as a rallying ground for Chinese nationalism since it permitted for a diversion from no-longer welcome anti-foreign nationalism while defusing the bottom-up vs. top-down tension. Interestingly, however, as pointed out by Reeves (2014, 13-15), Chinese scholars in that phase tended to take a more discriminate conceptual stance, indeed distinguishing between ethnicity, religion and terrorism.

Concerning solutions, the securitising narrative is typically understood to have paved the way for the broadening of coercion (e.g. Anand 2018; HRW 2005a, 19-21; Kanat 2016). Here, the governmental threat narrative mirrors Beetham’s (2013) language by referring to the *common interest*, thus depicting the use of force as a fully legitimate element of safeguarding a system’s utilitarian interests in the same vein as Beetham anticipates the legitimacy of a certain amount of coercion within a larger legitimate power relationship (II.5.3.4; Beetham 2013, 138-139, 182-186):

In order to protect the lives and property and common interests of the people of various ethnic groups, maintain the stability of China’s Xinjiang and the surrounding regions, safeguard national unity, social stability and the smooth progress of the modernization drive, the Chinese government has resolutely cracked down on the violent activities of the ‘East Turkistan’ terrorist forces in accordance with the law. (“Impunity“ 2002, IV; see “Defence White Paper“ 2002, II; Hu, J. 2006, 44)

Similarly, proscription of terrorist organisations and individuals by the MPS in 2003 and 2008 (Xinhua 2003; 2008) were, according to Zhang Chi (2019a), simultaneously acts of securitisation *and* legal justification, an argument equally applicable to the excerpt from “Impunity”. Non-coercive components of central strategy in XUAR emphasised education and propaganda as communicative counter-measures to extremists’ tendency to “hoodwink” ordinary people (e.g. “Impunity“ 2002, IV; IV.8.3). Joint development continued to be portrayed as the solution to all sorts of contradictions and inequalities, tying in with previous practice in

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<sup>646</sup> (e.g. Davis, A. 2003, 11; Dreyer 2005, 77-78; Dwyer 2005, 54-57; Rodríguez-Merino 2018, 5; Shichor 2005, 123; Vicziany 2003, 255; Zhang, C. 2019a, 6-8, 14, 16). Cf. Fu, H. (2012, 344-345) who still discerns a hierarchy between them with separatism as the dominant component.

<sup>647</sup> (e.g. Anand 2018; Barbour and Jones 2013, 106-107; Cui, S. and Li 2011, 149-151; Dwyer 2005, 51-57; Kanat 2012; Rodríguez-Merino 2018).

the region and the CCP's general developing mission under the concepts of the Harmonious Society and Scientific Outlook on Development (IV.3.2, e.g. Kerr and Swinton 2008, 119-126; Zang 2015, 22-25, 30, 151).

Here, Holbig (2015, 127 auth. transl.) makes a very conclusive argument concerning the significance of the notion of crisis in the CCP's self-legitimation, offering an alternative account of how that combination of threat framing and proposed development solutions fit the CCP's larger ideological legitimation pattern so well: "Conflicts are [...] constitutive narrative elements of the political mode of legitimation that have to be (re)produced perpetually to secure the party-state's dominance. [...] The 'strong state' can only claim legitimacy by continuously upholding the nation's 'crisis'".<sup>648</sup> For instance, in the context of the 2008 financial crisis and again following the 2013 economic downturn, she shows how through managing the narrative, adaptation and successful crisis management the CCP fostered its performance legitimacy in line with the dialectic logic and claims as to its vanguard-of-modernisation position as core tenets of CCP ideology.<sup>649</sup> She detects the same dialectic in the concept and pursuit of the Harmonious Society (Holbig 2013, 70). Elsewhere, she demonstrates how this logic also applies to the relationship with the ethnic minorities in Tibet and XUAR (Holbig 2015, 128, 139-141). Meanwhile, in contrast to the securitising narrative stood the constant reiteration that the situation in Xinjiang was calm and developing positively, sometimes within a single document.<sup>650</sup> However, that interplay between securitisation and claims to progress when it comes to the fight against TSE also fits the framing of a crisis and its resolution as contributing to CCP legitimacy.

#### **IV.3.3.4 Interim conclusions (2001-2009)**

The general observations made for the first period of analysis – namely that TSE poses a threat to the CCP's legitimacy via generic *general interests* by Beetham's standards as well as to those that are specific *general interests* contained in CCP ideology (Korte 2016c) – are also valid for the period between 9/11 and early 2009. That is despite the fact of or rather was concurrent with developments in CCP ideology in that period, signposted by references to the buzzwords of "harmony" and "development". The threat narrative, diagnosis and proposed solutions are identified as consistent with the theme of struggle as well as the framing of crises as opportunities via mastery of which the CCP renders itself indispensable in line with ideology's dialectic logic, yet with the framing as previously revolutionary vanguard replaced by notions of competent ("scientific") leadership through adaptation and innovation (IV.3.3.3, Holbig 2009, 2015). Additional to the terrorist threat's and counter-terrorism's continued

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<sup>648</sup> Transl. "Konflikte sind [...] konstitutive narrative Elemente des politischen Legitimationsmodus, die zum Zweck der Herrschaftssicherung des parteistaatlichen Regimes immer neu (re-)produziert werden müssen. [...] der 'starke Staat' kann Legitimität nur beanspruchen, indem er die *Krise* der Nation laufend fortschreibt".

<sup>649</sup> (Holbig 2011a, 122-125; 2015, 127-128, 134-138; 2018, 343-349; Holbig and Gilley 2010, 400-401).

<sup>650</sup> (e.g. "Xinjiang White Paper" 2009; see Chung 2006, 78; Cui, S. and Li 2011; Shichor 2005, 119, 124).

legitimacy-relevance contained in these observations was the international sphere post-9/11. With the opening-up on TSE in XUAR and the emphasis on the threat's global jihadist character, the region became securitised and Chinese efforts there a designated part of the GWOT (IV.3.3.2, e.g. Dwyer 2005, 50-57). This is significant in terms of my legitimacy-interest since Beijing's emancipation as an international player and the muting of external criticism on internal issues that came with participation in the GWOT cannot be underestimated as part of the legitimacy-relevant representation of Chinese national interests to the outside at a time when revolutionary ideology could no longer and economic performance not single-handedly sustain the CCP's legitimation of power (IV.3.3.2, e.g. Holbig 2002; 2011a, 128-130).

#### **IV.3.4 The July 2009 Urumqi riots and beyond**

##### **IV.3.4.1 *The terrorism threat narrative since the Urumqi riots***<sup>651</sup>

In the last decade of my analysis, most elements of the threat narrative have remained stable with some nuances. One exception is the fact that the religious extremism component became dominant around 2013-2014 and in its extraordinary descriptive width securitised to the effect that it has supported the justification of a comprehensive re-education campaign affecting many elements of Uyghur cultural, religious and ethnic identity since (IV.3.4.2, e.g. Klimeš 2018, 420-421). In July 2009, the riots shaking Urumqi (IV.2.4) were rhetorically placed within the established narrative of an essential security threat that is comprehensive, Islamist and internationally embedded. Chinese politicians and media immediately described the incident as terrorist (e.g. AFP 2014a; Bovingdon 2010, 170-171; Fu, J. 2016, 200). The White Paper on Development and Progress in Xinjiang ("Xinjiang White Paper" 2009), published a few months after the riots, constitutes a consolidated version of the governmental threat narrative concerning the event as well as the threat posed by XUAR TSE more broadly. In various shades, it highlights the threats posed to the ideologically important themes of "development and progress", "social stability" and "national unification", again illustrating the nature of the threat to the CCP's ideologically and performance-based legitimacy as seen previously.<sup>652</sup> Again, the solution presented involved more education and development (e.g. China Daily 2009a; CQCD 2009a, 1137, 1140-1141). This was re-emphasised and accelerated at the First Xinjiang Work Forum (XWF1) in May 2010 (IV.10 below), in line with previously observed patterns of solutions and their tying in with the CCP's larger self-legitimation (IV.3.3.3.). By referring to riots as "serious crimes of violence against society and humanity" and as "wantonly slaughtering innocent people" ("Xinjiang White Paper" 2009, VII; see CCTV 2009; Hao et al. 2009), perpetrators were delegitimated beyond the reconcilable and thus identified as legitimate recipients of coercion.<sup>653</sup> Another shade of that justificatory component to the narrative also emerges, for instance, from repeated statements that the authorities act "in

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<sup>651</sup> This subsection contains arguments on threat perception raised in Korte (2015; 2016a; 2016c; 2018a).

<sup>652</sup> ("Xinjiang White Paper" 2009, VII; similarly Hu, J. 2010, 57; Xinhua 2009a; see Lam 2009; Lei et al. 2009).

<sup>653</sup> (e.g. Barbour and Jones 2013, 105-111; Bovingdon 2010, 170-171; CQCD 2009a, 1134-140; Roberts 2012, 16).

accordance with the law” (e.g. “Xinjiang White Paper” 2009, VII). However, as noted by Barbour and Jones (2013, 103-105) the category of securitised and thus legitimate elements of suspicion became co-extensive with the Uyghur minority as a whole (see Roberts 2018, 241), where Dynon (2014), like Chung (2006, 77) and Dwyer (2005) earlier, points to the seemingly selective official use of the term “terrorism” as a significant factor. The result thereof, as documented by Hou and Quek (2015) and Luqiu and Yang (2018), has been a discernible public aversion to Uyghurs in the rest of China. Finally, the international component of the threat, external justification of counter-terrorism measures as well as their relevance to international engagement were emphasised.<sup>654</sup> In as much as foreign instigators were accused of exploiting internal situations, this contained a good reason for cutting XUAR’s communications to the outside world, specifically in the aftermath of the 2009 riots.<sup>655</sup>

That general position has remained unchanged for the entire period with some nuances (IV.4.2). Similar narratives were deployed in the heightened phase of terrorist activities in 2013 and 2014 but also in response to the attacks on France in November 2015 as well as in subsequent years. For instance, Xi Jinping stated in April 2014: “The long-term stability of Xinjiang is vital to the whole country’s reform, development and stability; to the country’s unity, ethnic harmony and national security as well as to the great revival of the Chinese nation.”<sup>656</sup> As previously, the highly threatening and terrorist aspects of XUAR TSE were carved out<sup>657</sup> much like the international Jihadist character of the threat<sup>658</sup> and the importance of XUAR as a region to China.<sup>659</sup> Pertaining to counter-terrorism, politicians repeatedly articulated the need for “a ‘strike first’ strategy against terrorists in this region to deter enemies and inspire people”<sup>660</sup> – all that in accordance with the law (e.g. Xinhua 2012; 2014I) and without compromise (e.g. Xinhua 2013b) – and through enhanced development, education and educating and integrating ethnic minority cadres.<sup>661</sup> Defence white papers and military strategic documents covered these aspects, too.<sup>662</sup> Yet the continued emphasis on economic development should not belie the fact that there was a discernible change in tone between the first and second Xinjiang Work Fora in 2010 and 2014: At XWF2, the theme of “suppress[ing] the spread of extremist religious thinking”, social stability maintenance by any means necessary and an

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<sup>654</sup> (e.g. China Daily 2009a; Hao et al. 2009; Lei et al. 2009; Xinhua 2009b; analytically e.g. Barbour and Jones 2013, 108-109; Clarke, M. 2015, 131-133; CQCD 2009a, 1134-1136; Mackerras 2015; Millward 2009, 353, 355; Stratfor 2009b; Trédaniel and Lee 2018, 186; Uslu 2009).

<sup>655</sup> (e.g. CCTV 2009; China Daily 2009a; Xinhua 2009b; “Xinjiang White Paper” 2009, VII; IV.8.4.2-3 below).

<sup>656</sup> (quoted in Blanchard 2014a from Xinhua, *n.d.*; see Stratfor 2014a; Xinhua 2014c).

<sup>657</sup> (e.g. JTIM 2013b; 2013c; Lu 2019; Rajagopalan 2013; 2014b; Rodríguez-Merino 2018, 9-10; Xinhua 2014h).

<sup>658</sup> (e.g. Drennan 2015; He, S. 2016; JWIT 2015b; Rodríguez-Merino 2018, 10; Teng 2016; Tiezzi 2014a; Zhang, Y. and Cui 2015; Zhu, W. 2011).

<sup>659</sup> (e.g. Simigh 2017, 52; Xinhua 2014I; 2017b).

<sup>660</sup> (Xi quoted in Xinhua 2014I; see e.g. AFP 2014a; Drennan 2015; Rodríguez-Merino 2018, 10-12; Xinhua 2014g; Wu, W. 2015; Zhang, Xiaobo 2013).

<sup>661</sup> (e.g. Lam 2017; Simigh 2017, 51-52, 54-55; Xinhua 2014I; Zang 2015, 155).

<sup>662</sup> (“Defence White Paper” 2013; “De-Extremification Regulation” 2017; “Freedom of Religious Belief” 2016, VI; “Human Rights in Xinjiang” 2017, II, VI; “TEHR White Paper” 2019; “Xinjiang White Paper” 2015, VI).

openly aggressive sinicisation policy under the slogan of “ethnic mingling” clearly overtook the softly preventive side of policy emphasised under “leapfrog development” at XWF1.<sup>663</sup>

Meanwhile, resembling Beijing’s external positioning post-9/11, the Chinese government used IS’ assassination of its Chinese hostage Fan Jinghui, the contemporaneous discovery of a growing number of Uyghurs fighting in Syria and Iraq and the death of three Chinese citizens in the Bamako hotel attack in November 2015 as a springboard for re-engaging in concerted global counter-terrorist efforts, most notably through supporting UNSCR 2249 (2015) authorising the use of force against IS in historic departure from Beijing’s non-interventionist policy.<sup>664</sup> This once more ties in with Beijing’s already observed attention to the external legitimacy dimension as an extra loop for garnering domestic legitimacy (IV.3.3.2, e.g. Holbig 2011b, 178-180). Faced with the discovery of more and more foreign fighters with IS in 2017, Foreign Ministry Spokesman Geng Shuang (quoted in Global Times 2017b) maintained the by now well-known stance of facing a complex and existential internal security threat with international implications while reiterating China’s commitment to a collaborative international approach. Yet for all the similarities, the securitisation of Uyghurs and justification of what has come to be known as “de-extremification” since 2016 have come to take a very special development that merits detailed analytical attention.

#### **IV.3.4.2 Securitisation of extremism and “de-extremification”<sup>665</sup>**

Since 2016, the prevention of terrorism in XUAR has given rise to a systematic “de-extremification”<sup>666</sup> campaign that has attracted substantial outside interest, primarily due to concerns that the encamped are detained extrajudicially.<sup>667</sup> As my research interest is primarily in the non-coercive components of counter-terrorism and their legitimacy-relevance, analysis is restricted to how the argumentative logic underpinning this effort and its dynamic effects relate to the CCP’s legitimation of power rather than the coercive measures’ human rights relevance (IV.9.6). Here, the main trend is that extremism has become the dominant component in the TSE complex based on both being a prerequisite of terrorism and constituting a legitimacy threat in and of itself so that it has spurred the further securitisation of Uyghur cultural, religious and ethnic identity and permitted for justifying their subjection to preventive “de-extremification” (e.g. Clarke, M. 2018; Klimeš 2018, 419-421). This development can be split into five sequences:

- (i) Characterisation of extremism as the ideological foundation of terrorism;

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<sup>663</sup> (Klimeš 2018, 415-421; see e.g. Batke 2018; Famularo 2018, 72; Leibold 2014b; Zhou, Z. 2017, 4; Yang, J. 2014).

<sup>664</sup> (Chen, A. 2015; Clarke, M. 2015, 140-142; Drennan 2015; Ghiselli 2016; Hong 2015c; SCMP 2015; Tiezzi 2015c; Wang, H. 2015; Wee 2015).

<sup>665</sup> The third paragraph contains arguments on threat perception raised in Korte (2015; 2016c; 2018a).

<sup>666</sup> The term was coined by Zhang Chunxian in 2012 (Zenz 2018a; Zhou, Z. 2017, 4).

<sup>667</sup> (e.g. Batke 2019; Eckert 2017; HRW 2018b; Jiang, S. 2018; Lipes 2018a; 2018c; 2019; UNOHCHR 2018; Zenz 2018b; 2018c).

- (ii) Upscaling of the threat level associated with religious extremism to equate it with terrorism;
- (iii) Portrayal of radicalisation as an infectious disease befalling those insufficiently firm in historical, ideological and patriotic matters;
- (iv) Identification of education as an appropriate tool of prevention; and
- (v) Extension of education as a preventive tool to the Uyghur Muslim group at large.

The XUAR Implementing Measures (2016, Art. 7, transl. by CLT) for the PRC's 2015 National Counter-Terrorism Law epitomise the first point in stating: "Extremism is the ideological foundation of terrorism, preventing and punishing extremist activities is an important strategy for countering the roots of terrorism." Similar diagnoses are contained in the White Papers on Freedom of Religious Belief in Xinjiang ("Freedom of Religious Belief" 2016, VI), on Human Rights in Xinjiang (2017, VII) and On the Fight Against Terrorism and Extremism and Human Rights Protection in Xinjiang ("TEHR White Paper" 2019, II), and in relevant legal documents ("PRC Counter-Terrorism Law" 2015, Art. 4; see Xinhua 2016). The first legal definition of "extremism" is found in a 2014 amendment to the Xinjiang Regulations for Religious Affairs (XRRRA), explained in a 2014 *China Daily* article to denote "activities or comments that twist the doctrines of a religion and promote thoughts of extremism, violence and hatred" (Cui, J. 2014). The definitions of the term in XUAR's De-Extremification Regulation (2017, Art. 3), the 2015 National Counter-Terrorism Law (Art. 4) and corresponding XUAR Implementing Measures (2016, Art. 7) are similar.

The threat which the CCP associates with religious extremism also refers to the risk emanating from the religious extremist ideology in and of itself, for instance, with a 2015 White Paper stating: "Religious extremism has developed into a real risk that has endangered national and ethnic unity, undermines religious and social harmony, menaces Xinjiang's lasting social stability and threatens the life and property safety of people of all ethnic groups."<sup>668</sup> The severity of the perception of the ideological threat to the unitary multi-ethnic nation the CCP claims to represent emerges more clearly against the backdrop of an ever-broadening notion of national security that has since 2014 included a heterogenous set of eleven fields in the "holistic view of national security" (Xi 2014c, 222) or "holistic security concept" (Heath 2015; Mattis 2018), as well as what Klimeš (2018, 423) has aptly translated as the concept of "'ideological security' (*yishi xingtai anquan*)" which extremism endangers (see "China's Military Strategy" 2015, II; Clarke, M. 2018; Hoffman, S. and Mattis 2016; Korte 2018a).

As far as the dynamics of extremism's spread are concerned, the governmental narrative has, in continuation of the original narrative of "hoodwink[ing]" (Aisihaiti 1997, 31-33), asserted that terrorists and extremists "brainwash", "confuse", "bewitch", "blind", "delude and deceive"

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<sup>668</sup> ("Xinjiang White Paper" 2015, VII; see "TEHR White Paper" 2019, II; see e.g. Zhou, Z. 2017, 1; 2018, 75).



people, “exploiting ‘extreme religious superstition and ignorance’” and “wins people over with simple religious sentiment so that they are led astray and ultimately down the path of violence and terrorism.”<sup>669</sup> “Extremification” has been portrayed as an ideological disease that befalls people yet that can be prevented and cured through ideological education akin to medical treatment, as indicated through various references to extremist ideology as a “tumour”, “virus” or “addiction”.<sup>670</sup> The logic of contagion contained in the medical analogy also provides a good argument for blanket coverage “education” as a means of extremism prevention (e.g. Lipes 2018b; Roberts 2018, 245-246; Samuel 2018; Zenz 2018c; see IV.9). And while the narrative also casts religious extremism as anti-religious and non-Uyghur (Dynon 2014; Xinjiang Ribao 2013; Zhao, Yanlong 2013), the fact of its association with Uyghur ethnic, religious and cultural identity emerges from the specific prohibitions. These include “generalizing the concept of ‘halal’”, prohibitions on wearing veils, beards, stars and crescents, or selecting certain Islamic names.<sup>671</sup> Here, Leibold and Grose (2016, 88-90) explore exemplarily for an argument advanced in several recent pieces of scholarship,<sup>672</sup> how a newly political interpretation of practices hitherto considered non-threatening and private has lent itself to their subsequent interpretation as state-security relevant and thus a legitimate target for remoulding to fit desirable norms.

Finally, the counter-measures taken in the course of “re-education” have also been justified in terms of the well-known diagnosis of poor education and inequality, with XUAR government Chairman Shohrat Zakir (2018) stating that “Xinjiang has launched a vocational education and training program [...]. Its purpose is to get rid of the environment and soil that breeds terrorism and religious extremism and stop violent terrorist activities from happening”, whereby residents are referred to as “trainees” admitted “to receive support and education” in Mandarin language, law, so-called “normal religious activities” etc.<sup>673</sup>

#### **IV.3.4.3 *Interim conclusions (2009-2018): Uyghur securitisation and legitimacy***<sup>674</sup>

In the years that followed the Urumqi riots, the central government repeatedly made clear just how important it considered Xinjiang to be strategically, economically and symbolically to the Chinese state and nation as a whole. One indicator is the fact that in May 2010 and May 2014, the CCP Politburo’s Central Committee dedicated several-day Central Work Fora to the situation in Xinjiang (XWF1 and 2). At XWF1 in 2010, Hu Jintao almost echoed his earlier

<sup>669</sup> (inter alia Dynon 2014 quoting various Chinese news sources and “state media editorial lines” from Xinjiang Daily, 24 November 2013; see “Freedom of Religious Belief” 2016, VI; Lu 2019; Renmin Ribao 2013; “Xinjiang White Paper” 2015, VII; “TEHR White Paper” 2019, II; Zhao, Yanlong 2013).

<sup>670</sup> (e.g. Clarke, M. 2015, 133; Dooley 2018; Famularo 2018, 67; Hong 2015a; HRW 2018b; RFA 2018; Roberts 2018; Samuel 2018; Wen 2014; Zenz 2018c, 2, 21).

<sup>671</sup> (“XUAR Implementing Measures” 2016, Articles 50, 51; “De-Extremification Regulation” 2017, Art. 9, transl. by CLT; see e.g. Lipes 2018e).

<sup>672</sup> (e.g. Byler and Grose 2018; Meyer, P. 2016a; Roberts 2018, 246; Smith Finley 2018, 11-15; see IV.7.6/9.4-9.6).

<sup>673</sup> (see UNHRC 2018, 5; “TEHR White Paper” 2019, V; see also Buckley, C. 2018a; Hua 2019; Lipes 2018c, 2018e; Liu, L. 2018; Lu 2019, IV.9.6 below).

<sup>674</sup> This subsection contains arguments on threat perception raised in Korte (2015; 2016a; 2016c; 2018a).

description of Xinjiang as “an important strategic protective screen for China’s northwest” (Hu, J. 2006, 30), while expressing how accordingly crucial stability is (Hu, J. 2010, 55-56). XUAR had lost none of its significance geostrategically nor in the context of either the CCP’s quest for socio-economic development or national unification. These elements have been upheld by Hu’s successor Xi Jinping, not least in the context of XUAR’s significance to the New Silk Road Initiative (also One Belt, One Road, *Yidai Yilu*, OBOR; see IV.10.3.2, e.g Purbrick 2017): Xi has called Xinjiang “the front line against terrorism” (quoted in Zhang, Hong 2014) and a strategic “security barrier” for China (quoted in Xinhua 2017c; see e.g. Blanchard 2014a; Stratfor 2014a). Beyond that, the fight against TSE has also been a supreme opportunity for the CCP to pursue broader interests in the region that connect to its legitimacy otherwise.

The CCP’s development goals contained in its ideology essentially survived into the Fifth Leadership Generation and are now enshrined in different aspects of the “Four Comprehensives” which became official party dogma in 2015 (“comprehensively building an overall moderately well-off society, comprehensively deepening reform, comprehensively governing the country in accordance with the law, and comprehensively supervising the Communist Party of China”).<sup>675</sup> The continued pursuit of development goals, though with a less square focus on economic development, explains to a certain degree why TSE in as strategically important a region as XUAR is seen as a threat to what Beetham (2013) calls the *general interest of welfare* and national unification as an ideologically defined *general interest* (Korte 2016c). Another outstanding aspect of that legitimacy threat remained the one to national unity/unification due to the centrality of the notion of harmony and “spiritual civilisation construction” under the first of the Four Comprehensives, turning the Core Socialist Values into a prescriptive program for the construction of society while cautiously eyeing and accordingly securitising any relevant contestation thereof.<sup>676</sup>

Generally, the fact that an underlying notion has been for TSE to pose a threat to the integrity of the CCP’s ideological and thus discourse-based legitimation such that counter-measures inevitably involve a range of efforts designed to reinstate the CCP’s discursive dominance (Korte 2018a) has continued to be programmatic. But the fact that extremist ideas can in and of themselves be considered as salient a national security threat as a physical act of terrorism only ties in with the renewed reliance on ideology under Xi as does the emphasis on education in the de-extremification context with the CCP’s general emphasis on ideological work since 2013, when CCP “Communique on the Current State of the Ideological Sphere” prioritised ideological work inside the party and through various media; in August, Xi stated that

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<sup>675</sup> (China Daily 2015; see Brown and Berzina-Cerenkova 2018, 329-331; Lam 2016, 409-410).

<sup>676</sup> (Brown and Berzina-Cerenkova 2018, 333, 335-337; Famularo 2018, 41-42; Leibold 2016, 234-235; Purbrick 2017, 252).

“ideological progress is one of its [the Party’s] top priorities.”<sup>677</sup> It is in this respect that the focus on education and most recently “re-education” and ideological work in XUAR resonates with a broader China-wide effort at propagating Core Socialist Values that commenced with the June 2013 one-year ideological campaign focussing on party elites (Famularo 2018, 41-45; Noesselt 2016, 38-41; Xi 2013b, 403-404; 2013c; 2014a; 2014e) despite the fact that it is unmatched in its coercive capacity.

As Holbig (2011b, 122-125; 2015, 127, 134-135) notes, the notion of crisis (previously struggle) from which the CCP emerges as the “sovereign of the crisis” (auth. transl.) has lost none of its traction at party-level, and this continues to apply to “East Turkistan” terrorism. She points to the profit of maintaining the crisis for Beijing’s practical assertion of power over renegade Tibet, and the same logic can be applied to XUAR (Holbig 2015, 139-141). Emphasis on the chaotic and threatening character of terrorism permits the CCP to step in as the legitimate agent of force (e.g. Roberts 2018; Rodríguez-Merino 2018; Zhang, Xiaoling et al. 2018). Pointing to socio-economic factors as permissive for the genesis of terrorism ties in with the CCP’s still valid self-legitimation as a modernising agent for society at large as well as for XUAR (Anand 2018; Zhang, Xiaoling et al. 2018 see IV.10). Finally, the connection between XUAR’s terrorist threat and nationalism as an avenue of legitimation has continued along the lines documented by Kanat (2012; 2016; IV.3.3.3). Under the “broad narrative of nationalist revival” enshrined in Xi’s vision of the “Chinese dream” (Lams 2018, 401), previously observed in-group/out-group categorisations have lost none of their salience, either as rallying mechanisms that are part and parcel of the dialectic logic of development or – as in the case of XUAR – also as part of justifying re-education policy.<sup>678</sup> And again, the dialectic logic underpinning CCP ideology fits neatly with the strategic framing of crisis as an opportunity by which the CCP justifies its *rightful authorisation* as the spearhead of a struggle that is now not characterised by revolution but by innovation.<sup>679</sup>

#### IV.3.5 Summary on the threat narrative<sup>680</sup>

This section has discussed the comprehensive nature of the Chinese threat narrative which has since the 1990s located terrorism within the broader complex of TSE and thus identified it as multi-causal, multi-level threat with multi-level counter-measures. Important components with respect to my legitimacy interest are that TSE have continuously been portrayed as threats to what Beetham identifies as the generic *general interests* of security and welfare (II.5.3.4/5.6) as well as ones enshrined in ideology (II.5.7). Throughout all three periods, the

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<sup>677</sup> (“Document #9” 2013, transl. by ChinaFile; Xi 2013a, 171; see Famularo 2018, 42-43; Lam 2016; Lams 2018, 403-405).

<sup>678</sup> (Lams 2018, 400-405; see Brown and Berzina-Cerenkova 2018, 331, 336-337; Holbig 2015, 129, 139-141; Noesselt 2016, 50; here Anand 2018; Hou and Quek 2015; Luqiu and Yang 2018; Roberts 2018).

<sup>679</sup> (IV.3.3.1, e.g. Holbig 2011a, 122-125; 2013, 70-72; 2015; Lam 2016, 411). An interesting element pointed out by Holbig (2015, 135) is semantic: The Mandarin term *weiji* (crisis) consists of *wei* (threat) and *ji* (opportunity).

<sup>680</sup> Based on the entire section, this subsection may bear minor similarities with Korte (2015; 2016a; 2016c; 2018a).

latter have been identified as those that relate to development in various nuances: national unity and economic development in the 1990s (IV.3.2.1, e.g. "Opinions on #7" 1996; Wang, Lequan 1997a) and the notions of "balanced development" and the Harmonious Society since the 2000s (IV.3.3-4). This substantiates my conjecture at II.5.7.2 that ideology as a source of legitimacy raises vulnerability to terrorism where that challenges any of its core tenets.

However, the role of ideology is not just that of a catalyst when it comes to vulnerability but also a sound asset in the justification of counter-measures and the embedment of solutions to the CCP's larger legitimacy benefit. On the one hand, different stages of securitisation each identified a specific and over time growing group of people as legitimate recipients of coercive counter-measures, beginning with religious institutions in the 1990s based on the diagnosis that they served as a staging ground for separatist and terrorist activities (IV.3.2.1, e.g. Amudong 1995, 14). This was more the case in the context of the narrative's global jihadisation in the 2000s and there already extending to the larger group (IV.3.3.2-3, e.g. Barbour and Jones 2013, 105-111; Dwyer 2005, 51-57). It culminated in its extension to the Uyghur cultural, religious and ethnic identity as such in the context of the broad definition of extremism in its identification as the most important aspect of TSE beginning in 2013-2014 (IV.3.4, e.g. Roberts 2018, 246). At each of these stages, Beetham's general argument concerning the role of coercion in a legitimate power relationship can be found in the justificatory narratives. On the other hand, the problem diagnoses as well as the corresponding counter-measures suggested have - at each of these stages - resonated with the CCP's primary missions at the time. Without repeating the different nuances, the overarching ideological theme has been the dialectic logic of development (socio-economic, national). In this framework, the CCP's knowledge-based and innovative leadership has replaced the argument of its vanguard position in the (revolutionary) class struggle (IV.3.3.1, 3.4.3, e.g. Holbig 2006; 2013, 68-72), within which Baren had been located at the onset of my analysis (IV.3.2, e.g. Wang, Lequan 1997b, 60). Across time then, measures accelerating socio-economic development have been portrayed as solutions to the underlying contradictions, in line with the CCP's larger developing mission (IV.3.2, e.g. Kerr and Swinton 2008, 119-126; Zang 2015, 22-25, 30, 151). That way, counter-terrorism measures were not only justified at another level, but also became contributors to performance legitimacy beyond dealing with a security-related threat, especially with ethnic policy and socio-economic development (IV.10).

Two further remarks are in order. First, as with Russia, I cannot appraise to what extent threat framing has been strategic – a claim many scholars raise in the context of the global jihadist component to the threat narrative since 9/11 (IV.3.3.2, e.g. Shichor 2005) and the more recent securitisation of religious extremism (IV.3.4.2, e.g. Roberts 2018). Meanwhile, Holbig's (2011a; 2011b; 2015; 2018; IV.3.3.3) analysis of the recurring theme of crisis framing from which the party emerges as the indispensable guarantor of stability and modernisation agent resonates

well with that pattern, at least in as much as the CCP is capable of framing a manifest crisis to its benefit. Secondly, especially in the early 2000s (after 9/11; IV.3.3.2, e.g. Malik 2002) and since knowledge of IS' traction with Uyghurs (IV.3.4.1, e.g. Clarke, M. 2015, 140-142), Beijing has capitalised on the transnational jihadist component of the threat it faces by engaging as a global partner in counter-terrorism, thus again fostering acceptance of its domestic engagement and international recognition for its emancipation as a responsible global power. That is seen as a contribution to domestic legitimacy via the international arena a time when revolutionary ideology could no longer and economic development not exclusively sustain the CCP's legitimate claim to power.<sup>681</sup>

## IV.4 Counter-terrorism institutions

### IV.4.1 Overview

This section presents those parts of the Chinese institutional structure that are responsible for counter-terrorism policy-making (IV.4.2) and implementation (IV.4.3), here restricted to those with an explicit social stability mandate, to answer the question whether the structure of counter-terrorism institutions reflects relations of what Albrecht and Frankenberger (2010b, 55-56) refer to as *exclusive responsiveness* (II.5.5.2). To this end, I examine the role and structure of the relevant decision-making organs at central level: the National Counter-Terrorism Work Coordination Small Group (NCTWCSG) formed in 2001 and upgraded into a leading small group (NCTWLO) in 2013, the MPS' Counter-Terrorism Bureau formed in 2002 and the National Security Commission created in 2013. Institutions with an operational counter-terrorism or social stability mandate examined are the People's Liberation Army (PLA), the People's Armed Police Forces (PAP) and the Xinjiang Production and Construction Corps (XPCC) as a colonial-style bureaucratic and paramilitary organisation. While the notion of *exclusive responsiveness* is found not useful in this context, I find a genuinely high capacity for responsiveness by virtue of the CCP's information-gathering capacity and oversight over policy-making and -implementing bodies. Meanwhile, the structure and development of the bureaucracy also attest to the significance of XUAR and counter-terrorism as a subject as well as to perception as a phenomenon requiring complex – including ideological – solutions.

### IV.4.2 Counter-terrorism bureaucracy

#### IV.4.2.1 NCTWCSG and NCTWLO

Historically, the CCP Central Political-Legal Affairs Commission (CPLC) has party-internally been the most important institution concerning security policy and maintenance of public order, and it has deliberated on party policy regarding threats thereto such as TSE (Tanner and Bellacqua 2016, 63). In 2001, after the formation of the SCO and 9/11, President Hu Jintao set up the National Counter-Terrorism Work Coordination Small Group (NCTWCSG, *guojia fan*

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<sup>681</sup> (e.g. Gupta, R. 2012, 806-807; Holbig 2002; 2010, 244-248; 2011a, 128-130; 2011b, 178-180).

*kongbu gongzuo xietiao xiaozu*) to coordinate counter-terrorism activities between the MPS, PAP and PLA at the different administrative levels and with international partners and generally design and decide on the directions of China's counter-terrorism agenda (Reeves 2014, 5; Tanner and Bellacqua 2016, 59; Wang, Yinghui 2011, 157). To broaden and deepen the policy scope and power of impact, in 2013 the NCTWCSG was upgraded and absorbed into a new National Counter-Terrorism Work Leading Small Group (*guojia fan kongbu gongzuo lingdao xiaozu*), named National Counter-Terrorism Work Leading Organ (NCTWLO, *guojia fan kongbu gongzuo lingdao jigou*) with passage of the 2015 Counter-Terrorism Law.<sup>682</sup> When first congregating in August 2013, the group was headed by Guo Shengkun, China's minister of public security; deputy heads were Wang Yongqing, secretary-general of the CPLC, Sun Jianguo, deputy chief of the PLA general staff and Wang Jianping, PAP commander, indicating that a high premium was put on combining military clout, ideological soundness and social stability considerations (China Daily 2014; Tanner and Bellacqua 2016, 59-60). The NCTWLO's power and efficiency derive from the fact that it brings together all of the ministerial and departmental stakeholders involved in counter-terrorism, allowing for faster track implementation than through the slow and tenacious state bureaucracy (Tanner and Bellacqua 2016, 60-62). The NCTWLO also oversees a network of leadership groups established at provincial levels to aid vertical coordination, the legal-institutional framework for which was created by the 2015 Counter-Terrorism Law (Mattis 2016; Tanner and Bellacqua 2016, 62). While the NCTWLO *prima facie* looks like a standardly mission-appropriate constructed institution, and this particular leading small group is associated with the State Council rather than the Politburo (Johnson et al. 2017b), it is important to note the special format that (leading) small groups generally represent in China. They are sources of "extra-institutional policy-making" (Noesselt 2016, 76, *auth. transl.*) by the party within the state, stemming from the Mao-era when these groups temporarily took over the policy-formulating functions of suspended state organs to fast-track CCP-conform policy-making in sensitive policy areas (see Johnson et al. 2017a).

A special leading small group on Xinjiang had existed under the Politburo since 2000 (Batke 2018; Johnson et al. 2017c), but in May 2017 a new bureau for XUAR was set up within the CCP Central Committee's United Front Work Department (UFWD) to monitor the development of the situation in XUAR and oversee policy implementation as well as coordinating exchange and cooperation "on issues affecting social stability, ethnic unity, ideology, economic development, education and employment" (Global Times 2017c). This is significant because the UFWD is one of the six organs of the CCP Central Committee (CMC, disciplinary affairs, organisation, propaganda, international relations) and its main task is to liaise with other political actors (Klimeš 2018, 419; Noesselt 2016, 73-74). The creation of a special bureau for

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<sup>682</sup>(Reeves 2014, 6; Tanner and Bellacqua 2016, 59-60; Zhang, C. 2019a, 1; Zhou, Z. 2016b, 11).

XUAR affairs within the UFWD attests to consideration of XUAR affairs as in need of special consideration outside of the standard minority and religious affairs portfolio (Klimeš 2018, 419; Mai 2017), especially when considering the range of issues listed above. However, as with other bureaucratic bodies involved in counter-terrorism and XUAR policy, little is known about this body beyond the fact of its existence.

#### **IV.4.2.2 National Security Commission**

On 15 April 2014, the Chinese National Security Commission (NSC, *zhongyang guojia'anquan weiyuanhui*) was formed as a platform for centralising the formulation and planning of national security strategy, for designing national security legislation and coordinating domestic activities in maintaining social and political stability (Xi 2014b; Xinhua 2014i; Zhao, K. 2015). It has also been tasked with providing stability in the North-Western regions of Tibet and Xinjiang and, as foreign ministry spokesperson Qin Gang (2013) insinuated when stating its establishment would make “terrorists [...], separatists [...] and extremists [...] nervous”, counter-terrorism is also part of its portfolio.<sup>683</sup> Because information about this security-sensitive body is hardly available in the public domain, it is difficult to make out its precise composition and functions (Tanner and Bellacqua 2016, 58-59; Wuthnow 2017, 888, 896; You 2016, 193-195). The exact relationship between the NSC and the NCTWLO is also hard to discern, their mandates overlap, they are both placed to broker between party and state, and both their personnel composition is not consistently transparent; however, the NSC appears to be the higher-ranking organ yet with less specialisation in counter-terrorism because of its broader mandate.<sup>684</sup> Headed by Xi personally and as a party institution, the NSC's establishment has been understood in the context of a recentralisation of CCP power, clarifying that the formulation of national security policy is a party prerogative.<sup>685</sup>

#### **IV.4.2.3 Ministries of Public and State Security**

The Chinese Ministry of Public Security (MPS, *zhonghua renmin gongheguo gong'anbu*) is the principal organisation responsible for public security. It oversees the regular police (*renmin jingcha*) and the People's Armed Police forces (*zhongguo renmin wuzhuang jingcha budui*, abbreviated as *wujing/PAP*), border control units with specific counter-terrorism functions in XUAR province and “convenience police posts” (CPS) set up in XUAR since 2016. In 2002, a special counter-terrorism bureau was established at the MPS, tasked with research and analysis and policy coordination before the NCTWCSG/NCTWLO was set up, which it now hosts institutionally.<sup>686</sup> As with the other counter-terrorism agencies, little is publicised about its

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<sup>683</sup> (see Clarke, M. 2016a, 308; Ng 2014b; Wuthnow 2017, 891, 898-899)

<sup>684</sup> There are reports that within the NSC's sub-commission system there is one for anti-terrorism work, but its composition and functions are hard to discern from open source materials (You 2016, 194).

<sup>685</sup> (Buckow et al. 2015; Hoffman, S. and Mattis 2016; Julienne et al. 2015b; Tanner and Bellacqua 2016, 55-57; Wuthnow 2017, 888, 896-897, 900; You 2016; Zhao, K. 2015).

<sup>686</sup> (Hill, J. 2002c; Li, W. 2004, 337-338; Tanner and Bellacqua 2016, 62, 65, citing Ma, J. 2002; Zhou, Z. 2014, 129).

activities aside from occasional statements of chief or deputy chiefs concerning counter-terrorism related issues, including the designation of terrorist individuals and organisations (e.g. Li, W. 2004; Zhao, Yongchen 2003). The Ministry of State Security (MSS, *zhonghua renmin gongheguo guojia anquan bu*) is China's civilian intelligence agency. It works both domestically and abroad and reports to the State Council. Although it also has operational capacities, its primary task in counter-terrorism is intelligence-gathering, where its mandate overlaps with that of the MPS (Tanner and Bellacqua 2016, 66-68).<sup>687</sup>

To better coordinate the intelligence-gathering and evaluation functions of the two ministries with respect to counter-terrorism, a joint State Counter-Terrorism Intelligence Center (SCTIC, *guojia fankongbu zhuyi qingbao zhongxin*) was set up in December 2014; it answers to the NSC and coordinates the exchange of intelligence and information and collaboration between the various vertical and horizontal layers involved in their collection and evaluation.<sup>688</sup> This became relevant in the context of the 2015 Counter-Terrorism Law's passage which for the first time outlines intelligence-gathering mechanisms involving those various agencies and departments (Chapt. IV: Articles 43-48), the mobilisation of civilians to gather intelligence in the course of the People's War Against Terrorism and surveillance of online communications including through third parties. The latter has ultimately generated a much larger intelligence input from a variety of sources, requiring coordination for analysis and sharing.

#### **IV.4.3 Institutions with operational counter-terrorism/social stability mandates**

##### **IV.4.3.1 PLA**

The People's Liberation Army (PLA, *zhongguo renmin jiefangjun*) responds to the Central Military Commission headed by the CCP Secretary and thus de facto to the CCP leadership. The PLA was the first force with a counter-terrorism mandate, responding for instance to Baren in 1990 (Wang, Yinghui 2011, 156); in defence white papers its counter-terrorism mandate has still been listed as part of its social stability maintenance mandate and since 2010 among the key areas of activity in so-called "military operations other than war" (MOOTW).<sup>689</sup> Among the PLA contingents, ground forces play the largest role in counter-terrorism and maintaining social stability, but the Navy and Air Force maintain capacities for securing the maritime domain and airspace, for instance, during the 2008 Beijing Olympics or the 2010 Asian Games in Guangzhou (Tanner and Bellacqua 2016, 72-73). Since 2001, the PLA's first Army Airborne Regiment, whose expertise includes counter-terrorism and counter-insurgency missions, has been stationed in XUAR (Andrew 2005). However, A. Davis (2003, 11) and Wayne (2009, 156) indicate that already from the mid-1990s onwards, the PLA increasingly took a backseat in

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<sup>687</sup> According to Rutt (2010, 21) it established a counter-terrorism research-centre after 9/11 (see Tanner and Bellacqua 2016, 67-68), but again there is no further open-source indication for its activities.

<sup>688</sup> (Blanchard 2014b; Mattis 2016; You 2016, 190 citing An and Cui 2014; Xinhua 2015a).

<sup>689</sup> ("Defence White Paper" 2006, VII; "Defence White Paper" 2011, II; "Defence White Paper" 2013, I; "China's Military Strategy" 2015, II).



stability maintenance, leaving riot suppression and counter-terrorism operations to the PAP with its relatively more specialised units (see Wang, Yinghui 2011, 156).<sup>690</sup> That trend was substantiated by the PLA's support function in the 2008 Lhasa and 2009 Urumqi riots (Odgaard and Nielsen 2014, 545; Tanner and Bellacqua 2016, 75). Art. 8 of the 2015 Counter-Terrorism Law does, however, list the PLA as the first of three organs involved in operational counter-terrorism (the other two being the PAP and the militia). Furthermore, as pointed out by Mattis (2018), based on the history of its revolutionary formation and Mao Zedong's view that "the Red Army fights not merely for the sake of fighting but in order to conduct propaganda among the masses, organize them, arm them, and help them to establish revolutionary political power" (Mao (1929) 2004), the PLA does fulfil explicitly political functions. This deviates strongly from the Western idea of a territorial defence army, especially in the context of the broadly construed notion of national security (IV.3.4.2) and the integration of the "Three Warfares" (*sanzhong zhanfa*): "public opinion warfare, psychological warfare, and legal warfare" (Mattis 2018; see Heath 2015; Raska 2015). In this vein, Michael Clarke (2018) points towards the PLA's potential internal deployment in psychological operations in the XUAR context, too.

#### **IV.4.3.2 PAP, PSBCT and CPS**

The People's Armed Police force (PAP, *zhongguo renmin wuzhuang jingcha budui*, also *wujing*) were officially established in 1982 as a paramilitary force tasked with internal security under the auspices of the MPS. Until 1 January 2018, it was commanded by the CMC and the State Council, but today it is mobilised by the CCP Central Committee and the CMC.<sup>691</sup> Under its internal security mandate, it has always been the primary force involved with containing demonstrations, riots, violations of public order and social stability incidents in the region (e.g. Famularo 2018, 56-57; Shichor 2004, 126). China's 2009 Defence White Paper specifically states the PAP's involvement in "hunt[ing] down the 'East Turkistan' terrorists" ("Defence White Paper" 2009, VIII). The 2009 Law on the Peoples Armed Police Forces (II.7) specified this in more detail, and the 2013 Defence White Paper (IV) states: "The PAPF is the state's backbone and shock force in handling public emergencies and maintaining social stability". The PAP's riot response capacities include 14 infantry divisions transferred from the PLA in 1996, deployed, for instance, during the July 2009 incidents in Urumqi as well as in the Lhasa "3.14" incident ("Defence White Paper" 2009, VIII; Stratfor 2010). Among the PAP's tactical counter-terrorism units are the Snow Leopards and the Falcons Unit, which was transferred from the PAP Special Police Academy to the PAP command in February 2014.<sup>692</sup> In XUAR specifically, the PAP was reinforced with a new elite quick reaction unit set up in the southern cities of Kashgar, Hotan and Aksu in 2010 (CQCD 2010a, 517; Stratfor 2010). Another specificity of

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<sup>690</sup> This resonates with an evaluation by Shichor (2004, 122-123) who argues that claims of a one million-strong PLA presence in XUAR are not only absurdly high but also overestimate their competencies.

<sup>691</sup> ("PAP Law" 2009; Stratfor 2009a; 2010; Xinhua 2017a).

<sup>692</sup> (China Daily 2014; Huang, P. 2017; Wang, Shacheng 2013, 70; Wang, Yinghui 2011, 156).

XUAR is the involvement of Public Security Border Control Troops (PSBCT, *gong'an bianfang budui*) in counter-terrorism: 100,000 men strong in 2010, the PSBCT are under the dual command of the Beijing MPS and the local government, yet they operate like the PAP although they are not a formal part thereof (Zi 2015). Aside from border control, which has repeatedly been emphasised as an important part of counter-terrorism, most recently by Defence Minister Chang Wanquan ordering the PSBCT “to form ‘an iron wall of defense’” (Cui, J. 2018), the PSBCT also maintain mobile detachments as well as patrol units in which they integrate civilians (Zi 2015).

While the PAP and PSBCT have existed for a long time, another low-level institution has been added to the MPS infrastructure in XUAR: so-called “convenience police stations” (CPS) (Leibold and Zenz 2016). Zenz and Leibold (2017a) counted that up to 90,000 new personnel were hired primarily to staff these between August 2016 and July 2017, of which 95% are assistant police, to staff 7,500 new CPS in the province. The CPS double-feature as police posts equipped with anti-riot equipment, 24-hour surveillance and facial recognition systems; they can quickly be turned into checkpoints while acting as permanent “citizen-security-interfaces” through which security services keep in touch with local civilians to pick up information and gossip about potential extremists (Famularo 2018, 56,64; Gan 2016b; Lam 2017). As an institution, the CPS illustrate like no other the practical combination of surveillance and coercion or power projection that has in the last few years come to characterise the Chinese approach to countering and preventing a broad threat complex of terrorism and extremism in XUAR (IV.9).

#### **IV.4.3.3 XPCC**

The Xinjiang Production and Construction Corps (XPCC, *Xinjiang shengchan jianshe bingtuan* or *bingtuan*) is a so-called “military-agricultural” institution of ethnic frontier governance not dissimilar to colonial institutions like the West and East India Companies in the 17<sup>th</sup> and 18<sup>th</sup> centuries (e.g. Becquelin 2004; Seymour 2000; Zhu, Y. and Blachford 2016). It was formed out of 200,000 soldiers demobilised in the 1954 PLA reform along with other production and construction corps in border provinces to alleviate population density in the Eastern parts of China, occupy the frontiers through the physical presence of ethnic Hans, develop them agriculturally and later industrially to the benefit of the central economy.<sup>693</sup> After a period of disbandment, the XPCC was reinstated in 1981 in response to the eruption of ethnic unrest in the region and in 1990, it became an autonomous planning unit responding directly to the State Council.<sup>694</sup> As an independent territorial administrative structure, entirely Han, with the lion’s share of its budget covered by the central government and with the same level of administrative

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<sup>693</sup> (e.g. Chaudhuri 2016, 72-73; Cui, J. and Gao 2014b; JID 1991; Seymour 2000, 172-174; “XPCC White Paper” 2014, I; Zhu, Y. and Blachford 2016, 34).

<sup>694</sup> (Becquelin 2000, 79-80; 2004, 362-363, 366-368; Chou 2012, 5; Cui, J. and Gao 2014b; Seymour 2000, 181-184; Trédaniel and Lee 2018, 182; “XPCC White Paper” 2014, I; Zhu, Y. and Blachford 2016, 32-33).

standing as the XUAR autonomous government over the same territory, numbering 2.68 million members in 2014 and fully integrated into the party structures, the XPCC is a powerful independent lever of control for the party to implement policies bypassing the autonomous governance structure.<sup>695</sup>

In countering XUAR terrorism, the XPCC plays two roles: coercive suppression and structural prevention. As a paramilitary organisation, it can be mobilised to support the PLA and PAP which was the case in Baren and Aksu in 1990, after the Ghulja incident in 1997 and during the Urumqi riots in 2009.<sup>696</sup> The Chinese government tends to emphasise the XPCC's "unique and irreplaceable role in maintaining social stability in Xinjiang, quashing violent terrorist activities and safeguarding the public" ("Xinjiang White Paper" 2015, VIII) and the operational capabilities of its anti-terror units,<sup>697</sup> describing it as part of the so-called "four-in-one system of joint defense" consisting of the PLA, PAP, local police and XPCC, cooperating to guard the border region.<sup>698</sup> My impression is that the more significant aspect of the XPCC's functions in counter-terrorism lies in structural prevention, namely the Corps' potential to alter the social, economic and political landscape in XUAR to implement and support CCP policy – an aspect that Hu Jintao (2006, 49) was indirectly referring to when describing the Corps' "role as a impregnable bastion for consolidating the northwest frontier defenses and maintaining the motherland's unity" (see "Document #7" 1996, 6). One component of that consolidation has been the strategic design of land reclamation, infrastructure construction and industrial development towards ethnic territorial fragmentation (Bovingdon 2004a, 26-28; 2010, 59-60; Zhu, Y. and Blachford 2016, 36). The second component is the XPCC's role in managing Han migration into Xinjiang under the official imperative of bringing in skilled labour for its diverse development projects (e.g. Becquelin 2000, 77-78; 2004; Cliff 2012, 83; Seymour 2000, 183-185). It is needless to say that the XPCC's developing and migration-managing functions have not gone down particularly well with Uyghurs and have probably contributed more to the intensification of inter-ethnic grievances than to their amelioration.<sup>699</sup> Yet, the XPCC does remain a lever of control for the administration of what I have partly followed Schneckener (2006) in classifying as *structural counter-terrorism* through targeted development (see IV.10) and it does play a psychologically deterrent role in coercive counter-terrorism by contributing to what Wayne (2009, 255-257) describes as the "force of bodies" (see Cui, J. and Gao 2014b).

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<sup>695</sup> (Becquelin 2000, 80; 2004, 323-363, 366-368; Bovingdon 2010, 60-61; Cui, J. and Gao 2014b; Seymour 2000, 184; UHRP 2018, 3, 5; "XPCC White Paper" 2014, II; Zhu, Y. and Blachford 2016, 32-33).

<sup>696</sup> (e.g. Becquelin 2000, 78-79; UHRP 2018, 19-20; "XPCC White Paper" 2014, II, IV).

<sup>697</sup> (see "XPCC White Paper" 2014, IV; see also Cui, J. and Gao 2014b; UHRP 2018, 20; Zhu, Y. and Blachford 2016, 35).

<sup>698</sup> ("Xinjiang White Paper" 2003, IX; "XPCC White Paper" 2014, IV; Zhou, S. 1997a, 52; see Ng 2014a; Seymour 2000, 182-183; Wayne 2009, 255-257)

<sup>699</sup> (e.g. Bovingdon 2004a, lix-ix, 7, 23-26, 47; Davis, A. 1996a, 418; Haider 2005, 525; Rudelson and Jankowiak 2004, 310, 319; Singh 2010, 7; Zhu, Y. and Blachford 2012, 721-722).

#### IV.4.4 Cadre policy in XUAR

Beijing's cadre policy in XUAR has generally reflected strategic considerations as can be illustrated along three examples. First, after the 2009 Urumqi riots and in parallel with the re-articulation of emphasis on economic development at XWF1 in 2010, XUAR CCP Secretary Wang Lequan, whose hardline approach to security in the aftermath of the riots was not seen to be effective (IV.2.4, e.g. Cliff 2012, 87-89; JIW 2010b; Smith Finley 2011, 84), was replaced with Zhang Chunxian, an appointment generally considered to speak of an emphasis on the preventive capacities of development rather than coercion.<sup>700</sup> In 2013, Zhang published an article in *Qiushi*, the CCP's most important journal on ideology and party theory, in which he demonstrated awareness of the indigenous rather than foreign instigated nature of the social stability threat, reiterating the requirement for a nuanced response to a more comprehensive problem (Pantucci 2013). Similarly, in May 2013, Yu Zhengsheng, former CCP secretary of first Hubei then Shanghai and between 2012 and 2017 a member of the Politburo Standing Committee, was appointed Chairman of the Xinjiang Work Coordination Small Group. Again, the appointment was understood as signalling a "willingness [...] to explore solutions that are – in the Maoist sense – socially transformative as opposed to suppressive in nature" (Schwarck 2013; see Stratfor 2013d). tying in with the prevailing threat and diagnostic narrative explored at IV.3.

With XWF2 in 2014, the central outlook changed from balancing social stability and economic development or attaining the former in part through the latter towards a square focus on social stability and de-extremification. In terms of personnel policy, the hardening tone is associated with Zhang's August 2016 replacement by Chen Quanguo who has spearheaded policy that is, in contrast to Zhang's, both socially transformative *and* suppressive. He is described as a "soldier-turned-politician" (Zenz and Leibold 2017a) who has acquired a reputation as "iron-fisted ruler" (Gan 2016b) or "Beijing's point man for quelling ethnic unrest" in Tibet, where he was CCP secretary from 2011 to 2016 (Bloomberg 2018; Choi 2016). His success in Tibet was down to his building "a sophisticated network of surveillance and control" (Zenz and Leibold 2017a) over his five years tenure which he rolled out immediately after his transferral to XUAR in August 2016 to create the system of CPS and "de-extremification centres", later called "vocational training institutes".<sup>701</sup> While the impression with cadre policy in/on XUAR thus is that the three appointments seen here implement the prevailing outlook on pacification at a given time, it should also be noted that the CCP is comparatively tight-lipped about personnel developments so that it is not clear whether an appointment caused a policy or the other way around (Batke 2018).

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<sup>700</sup>(JIR 2012, 15; JIW 2010b; 2010i; Kuo 2014; Schwarck 2013; Stratfor 2013c; Warikoo 2016, 184-185).

<sup>701</sup> (Batke 2018; Bloomberg 2018; China Daily 2017; Gan 2016b; Lam 2017)

#### IV.4.5 Summary on institutions

Two things stand out about China's counter-terrorism institutions and those institutions that are otherwise relevant to policy-making and -implementation in and on Xinjiang. The first is how the existence of a special leading small group on Xinjiang affairs since 2000, the 2013 upgrade of the NCTWLO and the formation of the new bureau with the UFWD in 2017 attest to the high importance of the subject and the region to the central leadership and to the awareness of TSE constituting more than a kinetic problem as well as to the willingness to solve it by comprehensive means (IV.4.2.1, e.g. Klimeš 2018, 419). In terms of policy implementation, both importance and the necessity for fast-track implementation also emanate from the continued reliance on the XPCC as a colonising force that as a parallel structure, to a certain degree, leads autonomy at the XUAR regional autonomous government level ad absurdum (IV.3.3, e.g. Becquelin 2000, 80). The second observation is that these institutions exhibit a degree of control exerted by the central CCP that is in excess of its general decision-making capacity and streamlining of cadres via the nomenklatura system otherwise (Korte 2016c). The central party-apparatus completely controls the bodies designing and implementing counter-terrorism and region-specific policy – a point that is largely in line with the predicted dominance of the single-party in a *state socialist system* based on Beetham (2013; II.5.3). Concerning responsiveness within the general institutional landscape and the counter-terrorism bureaucracy specifically, the question of what Albrecht and Frankenberger call *exclusive responsiveness* is redundant. Save for the recent and more personalised than previous focus on Xi Jinping as a leader, the political decision-making process in the party framework is inclusive enough to not permanently give preferential weight to a group of *exclusive responsiveness* that is in its interests distinguishable from the larger party. Counter-terrorism is no exception to that. Yet, because of the affinity between leadership and larger party, specifically in the XUAR-relevant bureaucracy and institutions with their centre-periphery shortcuts (the XPCC or the new bureau at the UFWD) there are two additional points. The information-gathering potential that underlies my propositions as to the capacity for responsiveness in general (II.5.5, e.g. Fjelde 2010, 199-201) appears to be extraordinarily high, a capacity further leveraged at the micro-level with the expansion of social surveillance by CPS since 2015 (IV.4.3.2, see IV.9). Secondly and in excess of my propositions, the capacity to implement central party policy is extraordinarily high, too, for those very reasons (Korte 2016c).

### IV.5 The legal framework for countering terrorism and extremism<sup>702</sup>

#### IV.5.1 Overview

China only adopted its first counter-terrorism law in December 2015, but that does not mean that counter-terrorism operated in a legal vacuum until then. Benchmarks of the evolution of

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<sup>702</sup> This section is partly based on my legal research project (Korte 2018a; 2018b; 2019b). My special thanks go to the Minerva Center for the Rule of Law under Extreme Conditions at the University of Haifa and the Germany-based Minerva Foundation for their generous financial support. I am indebted to Eli Salzberger, Fergal Davis, the MCRLEC

the counter-terrorism legal framework are the State Security Law (1993), Amendment III to the PRC Criminal Code (2001), an NPC Standing Committee Decision (2011), Amendment IX and the Counter-Terrorism Law in 2015 as well as XUAR's provisions for implementation and regional de-extremification legislation passed and amended between 2016 and 2018. The criminal law is important because it has been the frame of reference for coercion under what Pedahzur and Ranstorp (2001) define as an *expanded criminal justice approach* (II.3.3.2). In sketching the historical development of the legal framework, this section pays particular attention to the definition of *terrorism* and *extremism* as primary targets of judicial and extrajudicial coercion. Here, legislation passed since 2015, and XUAR-specific more than national law, has been extremely broad, creating legal tools to implement coercive assimilation measures targeting Uyghur Islamic and ethnic identity based on the stylisation of many aspects thereof as extremist and thus state security-relevant (IV.5.4, e.g. Byler and Grose 2018). Meanwhile, this legalisation itself and politicians' emphasis that counter-terrorism is conducted "in accordance with the law" tie in with the CCP's more general emphasis on law-based rule under Xi.<sup>703</sup>

## **IV.5.2 Development of the legal framework prior to the 2015 counter-terrorism law**

### **IV.5.2.1 Legal framework for counter-terrorism before 2001<sup>704</sup>**

In the 1990s, the legal framework for the suppression and prosecution of terrorism and separatism primarily consisted of the Chinese Criminal Code (1979), the State Security Law (1993) and various documents prohibiting illegal religious activities. The 1994 Rules for Implementation (Art. 8(1)) of the PRC State Security Law of 1993 classified "organizing, plotting or committing terrorist acts" as "other sabotage acts endangering the State security" under Art. 4 of the State Security Law, i.e. among the most severe offences in the Chinese penal system at the time (Li, E. 2016, 355; see Wang, Yinghui 2011, 158; Zhang, L. 2014, 3). The PRC Criminal Code of 1979 criminalised several activities that were also prosecuted in relation to TSE (AI 2002, 4; Fu, H. 2012, 336; Gladney 1998, 6-7), but Art. 120 prohibiting "organi[zing], lead[ing,] and actively participat[ing] in a terrorist organization" was only added in 1997 and without specifying central terminology (transl. in Li, E. 2016, 355; Li, Z. 2015, 582, 584; Zhou, Z. 2018, 78-79). Meanwhile locally, XUAR's various versions of prohibitions on illegal religious activities (1990, 1996) also expanded the power to lawfully detain, lock up and oftentimes execute activists.<sup>705</sup>

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members as well participants of the 2<sup>nd</sup> and 3<sup>rd</sup> Young Researchers Workshops on Terrorism and Belligerency for their constructive feedback on various drafts and presentations.

<sup>703</sup> (e.g. Klimeš 2018, 425-428, 434; see IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 330, 334, 337).

<sup>704</sup> This subsection is based on my legal research project (Korte 2018a; 2018b; 2019b).

<sup>705</sup> (e.g. "Document #7" 1996; "Opinions on IRA" 1996; see HRW 2005a; Li, E. 2016, 354-356; IV.7 below).

#### **IV.5.2.2 Criminal Code Amendment III (2001)**<sup>706</sup>

Most of the current offences in the Chinese criminal code were introduced by ratification of the Shanghai Convention on Combatting Terrorism, Separatism and Extremism adopted in 2001, which contained at least a reference definition of terrorism (Wallace 2014, 204) and Amendment III of 2001 (Fu, H. 2012, 337; Li, Z. 2015, 584-585, 587). These included financing terrorism (Art. 120a), knowingly hiding or concealing proceeds of terrorism (Art. 191) and “fabricat[ing] terrorist information” (Art. 291a, “Amendment III” 2001).<sup>707</sup> Although the text of the amendment specifically states that it was passed “in order to punish the crimes of terrorism, to safeguard the security of the State and of people’s lives and property, and maintain public order”, only half of the amended or introduced clauses mention terrorism, and none of the terms “terrorism” (*kongbu zhuyi*), “terrorist organisation” (*kongbu huodong zuzhi*) or “terrorist activity” (*kongbu huodong*) is defined while most of the associated articles can incur the death penalty.<sup>708</sup> Amendment III has lent itself to criminal indictment for seemingly innocuous activities such as the publication of poetry, demonstrated by the example of Uyghur poet Nurmuhemmet Yasin, convicted of inciting separatism for publishing a short story of a wild pigeon committing suicide in captivity.<sup>709</sup> Accordingly, Amendment III (2001) has been criticised for failing to specify what conduct it prohibits, for facilitating convictions and even the death penalty on ill-specified grounds and, more broadly, for lending itself to penalising “expressions of ethnic identity” (Clarke 2010, 550-551; see AI 2002; Fu, H. 2012, 344-345).

Despite the lack of binding legal definitions of central terminology, the Chinese government released lists of designated terrorist organisations and individuals, starting in December 2003 (Stratfor 2003; Xinhua 2003). Upon questions as to ETIC’s designation as a terrorist organisation, Zhao Yongchen (2003), deputy director of the MPS Counter-Terrorism Bureau, laid down the internal guidelines used for the proscription of terrorist organisations and terrorists, both of which refer to the term “terrorist activity” which was not specified at the time. Although the definitions themselves do not refer to the East Turkistan context, the fact that all of the proscribed organisations in 2003 and 2008 were Uyghur, does speak for itself (Xinhua 2003, 2008; Zhou, Z. 2014, 153-154). In that context, state and CCP organs repeatedly articulated their approval of the political nature of sentencing, even to the extent of expressing instructions to that effect (e.g. Fu, H. 2012, 344; HRW 2005a, 67-68; Tong 2010a, 6).

#### **IV.5.2.3 NPC Standing Committee Decision (2011)**<sup>710</sup>

In October 2011, the NPC Standing Committee issued its “Decision on Issues Concerning Strengthening Anti-Terrorism Work”, defining “terrorist activities” (*kongbu huodong*) for the first

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<sup>706</sup> This subsection is based on my legal research project (Korte 2018a; 2018b; 2019b) and Korte (2015).

<sup>707</sup> (see AI 2002, 4-7; Clarke, M. 2010, 548; Li, E. 2016, 359-362; Zhou, Z. 2014, 139-145; 2018, 79).

<sup>708</sup> (see e.g. AI 2002, 7; Clarke, M. 2010, 548-550; Fu, H. 2012, 337; Li, Z. 2015, 585-586; Vicziany 2003, 245-246; Zhang, L. 2014, 2-3).

<sup>709</sup> (Yasin 2005a, 2005b; see Bovington 2010, 100-101; Clarke, M. 2010, 553-554; PEN 2013; UHRP 2016, 2-3).

<sup>710</sup> This subsection is based on my legal research project (Korte 2018a; 2018b; 2019b).

time with the force of law ("NPC Standing Committee Decision" 2011, para. 2), but it was never converted into law.<sup>711</sup> The definitions technically avoided explicit reference to the East Turkistan context, but they remained practically reserved to it both in terms of legal application and in public discourse.<sup>712</sup> Another point clarified by the Decision in Para. 4 was the proscription mechanism for terrorist groups and individuals. It formalised the existing mechanism whereby the ultimate proscription authority after compilation of the list by the NCTWCSG lay with the MPS, rendering the mechanism an exclusively executive one with significant scope for politicisation ("NPC Standing Committee Decision" 2011, para. 4).<sup>713</sup> According to this mechanism, the MPS had released the first two lists of organisations and individuals in December 2003 and October 2008 (Xinhua 2003; 2008) and another one in April 2012 (Jin 2012), again all Uyghur, pointing to a uniquely focused application.<sup>714</sup> Finally, revisions to the Chinese Criminal Procedures Code in 2012 incorporated significant latitude to authorities with respect to administrative detention and investigative powers, according to which they can apparently hold terror suspects in detention without notifying their relatives for up to 37 days, a point criticised by human rights advocates.<sup>715</sup>

#### **IV.5.2.4 Criminal Code Amendment IX (2015)**<sup>716</sup>

In August 2015, Amendment IX to the PRC Criminal Code introduced new offences on terrorism, extremism and preparatory activities, widening the scope of legal prevention measures to the extent that Li Enshen (2016, 362-363) argues it marked a doctrinal development from punishment to pre-emption, albeit one that technically only legalised measures implemented extrajudicially before (349).<sup>717</sup> New Art. 120b criminalises planning and preparatory activities including training and making contact with (foreign) terrorist organisations; Articles 120c and 120f penalise advocacy of terrorism or extremism and possession of books, audio-visual and other material advocating terrorism or extremism.<sup>718</sup> The content of these three provisions is not unusual, and similar provisions can be found in other countries' criminal codes. The situation is different with Articles 120d and 120e. Art. 120d criminalises the "use of extremism to incite or force the masses to violate such systems as the system of marriage, administration of justice, education or social administration as established by constitutional law" ("PRC Criminal Code" (1979) 2015 auth. transl.), while there was no definition of extremism to refer to elsewhere in the criminal code (Daum 2015; Zhang, L. 2014,

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<sup>711</sup> (discussed in Li, Z. 2015, 582-583; Xinhua 2015a; Zhang, L. 2014, 3-4; Zhou, Z. 2014, 145-147).

<sup>712</sup> (Dynon 2014; Lipes 2011; Zhang, C. 2019a, 6-7; see IV.3.3-4, e.g. Dwyer 2005, 54-57).

<sup>713</sup> (see Li, Z. 2015, 591-592; Zhang, L. 2014, 4; Zhang, C. 2019a, 8-11; Zhou, Z. 2014, 146).

<sup>714</sup> (see Zhang, L. 2014b, 4; Zhang, C. 2019a, 8-11; Zhou, Z. 2014, 153-158; 2018, 85).

<sup>715</sup> (HRW 2016b; see e.g. Nathan 2014; Li, Z. 2015, 590; Zhou, Z. 2014, 147-153; 2018, 93-94).

<sup>716</sup> This subsection is based on my legal research project (Korte 2018a; 2018b; 2019b).

<sup>717</sup> Some of the new articles are based on a joint opinion of the Supreme People's Court, the Supreme People's Procuratorate and the MPS on terrorism and religious extremism, issued in September 2014 (Daum 2015; "Joint Opinions" 2014).

<sup>718</sup> ("Amendment IX" 2015; see Li, E. 2016, 362-363; Li, Z. 2015, 586; Zhang, D. 2016; Zhang, L. 2016; Zhou, Z. 2018, 79-80).



1). Art. 120e criminalises “compelling others [...] to wear [or] bear dress [or] symbols, which advocate terrorism or extremism in public places [...]” (“PRC Criminal Code“ (1979) 2015 auth. transl.). While the listing of garments may at first seem puzzling, the reference is definitely to Islamic attire such as full-body veils, hijabs or beards, which becomes clearer against the backdrop of various regulations on religious activities (UHRP 2016, 7; see IV.7.6, 9.5; Korte 2019b).

Importantly, Amendment IX does not distinguish between “terrorism” and “extremism” or clarify the relationship between the two concepts, which Zhang Chi (2019a, 6-8, 14, 16) notes to already have been characteristic of the Chinese criminal justice approach to counter-terrorism with the separatism concept. Yet, this can be seen as a corollary of the predominantly ideational threat perception at the time, which the Code merely reflects (Korte 2018a). The amendment extends the range of criminal behaviour almost indefinitely since, if an activity does not fall within the scope of “terrorist activity” as defined in the NPC Standing Committee Decision (2011), it can, for lack of definition, always be prosecuted as “extremism”, incurring the same penalty. This width has invited criticism of the amendment for overbreadth from a number of directions, including Chinese criminal law scholars (Daum 2015; Zhou, Z. 2018, 80). At the time of its passage, however, Amendment IX received little attention with the Counter-Terrorism Law already on its way.

#### **IV.5.2.5 *Interim conclusions: criminal justice framework until 2015***<sup>719</sup>

This subsection has illustrated how the criminal justice component to coercive counter-terrorism in China has been grounded in the application and adjudication of terrorism offences in the PRC Criminal Code since the introduction of Art. 120 in 1997 (IV.5.2.1, e.g. Zhou, Z. 2018, 78-79). It is noteworthy that the expansion of that framework to tackle related phenomena began as early as 2001, although the real doctrinal turn of the tide to legal pre-emption only came with the introduction of substantive preparatory offences by Amendment IX in 2015 (IV.5.2.4, e.g. Li, E. 2016, 362-363). Reliable statistics for TSE-prosecutions in XUAR are notoriously hard to come by (Li, Z. 2015, 588), but Li Enshen (2016, 378-379), for instance, observes these offences’ active utilisation. Though only discussed at IV.6.2 below, it is primarily the nature of the agents of force empowered in the *yanda* context and the altered procedure there – in the criminal justice context from 2012 – (IV.5.2.4, e.g. Zhou, Z. 2014, 147-153) that lead me to classify the overall Chinese approach to coercion as an *expanded criminal justice* one following Pedahzur and Ranstorp (2001; see II.3.3). Another important facet that fits this classification is the general politicisation of the criminal justice approach. This emanates from the lack of binding legal definitions until 2011 (e.g. Li, Z. 2015, 582-583), their breadth and the failure to distinguish between terrorism and extremism thereafter (IV.5.2.4,

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<sup>719</sup> Based on previous subsections, this subsection contains similarities with Korte (2018a; 2018b; 2019b).

e.g. Zhang, C. 2019a, 6-8, 14, 16). It also emerges from the executive nature of the proscription mechanism prior to 2015 (Zhang, C. 2019a, 8-11), the fact that the resulting lists only contained Uyghur organisations (IV.5.2.3) and the emphatically political nature of prosecutions (IV.5.2.2, e.g. HRW 2005a, 67).

### IV.5.3 Counter-Terrorism Law of the PRC (2015)<sup>720</sup>

On 27 December 2015, China passed its first comprehensive counter-terrorism law. Its significance to my analysis lies in the ample provisions it makes for legally grounded coercive counter-terrorism based on, inter alia, very broad definitions of terrorism and extremism as well as the implications of restrictions on reporting concerning the control of public discourse as a means of communicative counter-terrorism (II.3.6).

Art. 3 of the Counter-Terrorism Law defines “terrorism” as

Propositions and actions that create social panic, endanger public safety, violate person and property, or coerce national organs or international organizations, through methods such [as] violence, destruction, intimidation, so as to achieve their political, ideological, or other objectives. (“PRC Counter-Terrorism Law” 2015, Art. 3, transl. by CLT)

Although an NPC Standing Committee statement described the definition as inspired by international legal instruments and it therefore is close to these (Xinhua 2015a; Zhou, Z. 2016a), it is nonetheless very broad. First, while the expression “any thought, speech or activity” present in earlier drafts was replaced with “propositions and actions” (*zhuzhang he xingwei*), “propositions” are, according to legal scholar Zhou Zunyou (2016a) still “vague enough to be interpreted either as ‘thought’ or as ‘speech’”, thus retaining the original potential for the punishment of thought crimes.<sup>721</sup> Secondly, the threshold for action to qualify as terrorism, for instance, as the violation of property for political ends, is very low and can lead to the recasting of far lesser crimes that lack the element of psychological coercion through the generation of fear as crimes of terrorism. Third, the inclusion of “other objectives” widens the scope of application even further inside the criminal realm given that those “other objectives” are not specified. Where “terrorism” is already ostensibly broad, the definition of “terrorist activities” is broader yet. That is inter alia because part of the list of activities resembling those already penalised in the criminal code after Amendment IX is a definitional blackhole: “other terrorist activities” (Art. 3(5)), again not specified (HRW 2015a).

Art. 4 provides the first national legal definition of “extremism” (*jiduan zhuyi*) in the expression that “the State opposes all forms of extremism that incite hatred, incite discrimination, advocate violence, etc. by distorting religious teachings or other means, in order to eliminate the ideological foundation of terrorism” (transl. in Zhang, L. 2016). This *prima facie* indicates that

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<sup>720</sup> This subsection is based on my legal research project (Korte 2018a; 2018b; 2019b) and Korte (2016c).

<sup>721</sup> (see HRW 2017; Simigh 2017, 58-61; Tiezzi 2015a; UHRP 2016; Zhang, C. 2019a, 6-8; Zhou, Z. 2015a; 2015b; 2018, 84).

extremism is considered the ideological basis of terrorism, one step prior and a little less serious, resonating with the threat of lesser punishment (criminal or administrative) than for terrorist activities (Art. 79) as provided for by Articles 80 and 81 (Zhang, L. 2016). Criticism has been levelled at the definition for its ostensible breadth to permit the criminal prosecution of what is commonly understood as expression of religious affiliation, opinion or ethnic identity.<sup>722</sup> Meanwhile, consideration and clarification – albeit in connection with highly punitive means – of extremism tie in with the general “conflation” of the TSE components and focus on ideological prevention.<sup>723</sup>

The new law’s coercive capacity culminates in the legalisation of the use of live fire “in emergency situations or where giving a warning might cause a more serious harm” (Art. 62, transl. by CLT; Li, E. 2016, 371-372; Mattis 2016). The pre-emptive nature of the sic legalised use of force reflects precisely the intended preventive character of the law (Zhou, Z. 2015a). This clearly fits what I have identified as an *expanded criminal justice approach* following Pedahzur and Ranstorp (2001). With Li Enshen (2016), the net result of the counter-terrorism law with respect to the application of coercion is also a genuinely higher punitiveness within the codified criminal justice component to coercion so that the pre-emptive component seen in strike hard campaigns is now permanently deployable on a criminal law base. The provision of a legal framework per se fits the CCP’s larger quest to “rule the country according to law” since the CCP’s incorporation of the rule of law into its larger self-legitimizing narrative as part of the Core Socialist Values Outlook at its 18<sup>th</sup> Party Congress in 2012 and under third of the Four Comprehensives since 2015.<sup>724</sup> Here, Zhang Chi (2019a, 10-12, 15-16) also points to the significance of the switch from an executive proscription mechanism to a double-track one including the judiciary – albeit with some reservations – as a signal of at least a procedural rule of law interest. Yet the emphasis on rule of law is neither in the counter-terrorism nor in the more general context to be understood in a substantive rule of law manner as Xi has also left no doubt as to the party’s leadership role (e.g. Lam 2016, 413).

Discussion of the so-called “backdoor provisions” in Articles 18 and 19 has been vibrant and critical in Western media with a focus on privacy, freedom of information and the protection of company secrets (e.g. BBC 2015a; Buckley, C. 2015; Zhou, Z. 2015a). It should, however, be stressed that these articles place some but not all and not entirely new responsibility for monitoring and removing content hosted and transmitted on communications and ISPs, that the provisions are a lot less draconian than previous drafts and also less “new” than the debate seems to suggest: The data localisation provisions were dropped from the draft so that

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<sup>722</sup> (e.g. HRW 2017; 2018b, 22-23; Li, E. 2016, 336; Roberts 2018, 246; UHRP 2016, 1, 6-7).

<sup>723</sup> (e.g. HRW 2015a, 2017; Li, E. 2016, 365-366; Simigh 2017, 56, 61; UHRP 2016, 6-7; Zhang, C. 2019a, 6-8, 14, 16).

<sup>724</sup> (IV.3.4.3, China Daily 2015; see e.g. Brown and Berzina-Cerenkova 2018, 330, 334, 337; Lam 2016, 409, 413; here Klimeš 2018, 425-428, 434; Zhou, Z. 2017, 7; 2018, 76-77).

companies are not required to store data on servers located within Chinese territorial jurisdiction, hand over encryption keys, nor are they obliged to programme literal “backdoors” into their software codes.<sup>725</sup> The fact that they are put under the responsibility to create appropriate means of surveillance, decryption and removal mechanisms does come at an extremely high cost for companies (Li, E. 2016, 366-367; Livingston 2015), and Articles 83, 84 and 86 do threaten hefty fines for non-compliant companies as well as administrative detention for responsible individuals, but the law leaves it up to them to develop appropriate technical means to comply with their legal responsibility. Thus, while these provisions are costly and uncomfortable for affected companies and expand the surveillance capacities of the government, they are not “backdoor provisions” in the true sense. They are also seen to tie in with rather than stand out from the approach taken in the National Security Law of July 2015 and the Cybersecurity Law of November 2016.<sup>726</sup> Moreover, the largest ISPs (China Telecom, China Unicom and China Mobile) are state-owned anyway, so the additional control gained by subjecting non state-owned ISPs to these provisions is relatively minor (Purbrick 2017, 249). I thus consider these provisions an accessory to the enhanced investigative powers generally characteristic of an *expanded criminal justice* approach rather than an extraordinarily intrusive hallmark of a new approach to terrorism prevention exclusive to China.

Concerning reporting, Art. 63 of the Counter-Terrorism Law (transl. by CLT) establishes an information monopoly for “the provincial leading institution on counter-terrorism work” and prohibits the publication of information on terrorist and counter-terrorist activities “that could lead to the imitation of terrorist incidents” or “cruel or inhumane scenes”, where Art. 90 again threatens hefty fines for media outlets and administrative detention for responsible individuals. Considering that the underlying rationale appears to have been to prevent copycat acts and forestall the creation of a climate of fear, particularly by curbing reposts on social media,<sup>727</sup> these components are not atypical in the counter-terrorism context and tie in with the denial of attention component discussed as part of target-centric communicative counter-terrorism (Zhou, Z. 2016a; II.3.6.2, e.g. Wilkinson 2011, 159-161). Meanwhile, matters of ethnic and religious policy had long been considered so vital to state security that even official policy remained classified and reporting restricted by law and CCP-internal guidelines (e.g. “Document #7” 1996; IV.3.2.1, see e.g. HRW 2005a, 30-31). As pointed out by Zhou Zunyou (2018, 86-87; see IV.8), this is little more than emblematic of the general extent of censorship and discursive power wielded by the CCP “on delicate subjects”, so Art. 63 merely marks the anchoring of existing censorship mechanisms in counter-terrorism legislation and thus only a minor change in the counter-terrorism specific *regulatory environment* (Jungherr et al. 2019). That is also my impression as to the law’s general significance to coercive counter-terrorism:

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<sup>725</sup> (Bissell 2015; Dou and Page 2015; Hong 2015b; Livingston 2015; Lu 2015; Tiezzi 2015b; Zhou, Z. 2016a).

<sup>726</sup> (Hoffman, S. 2015a; Kei 2015, 42-43; Xinhua 2015a; Wang, Yuzhu 2015; Zhou, Z. 2018, 87-88).

<sup>727</sup> (e.g. UHRP 2016, 7; Wang, Yuzhu 2015; Xinhua 2015a; Zhou, Z. 2016a).

formalising and slightly expanding existing practices by codifying the underlying definitions rather than in and of itself constituting a turn of the tide (Korte 2016c; 2019b). There, the aspect of codification and its tying in with the CCP's larger quest to "rule according to law" under the third of the Four Comprehensives<sup>728</sup> come to the fore, although many of the law's provisions are without doubt wide and empowering (e.g. HRW 2017).

#### **IV.5.4 XUAR-specific legislation (2016-2018)**

##### **IV.5.4.1 Xinjiang Implementing Measures for the PRC CT Law (July 2016)<sup>729</sup>**

In addition to the national counter-terrorism legal framework, the XUAR government has also issued a series of implementing measures and guidelines concerning counter-terrorism. The most relevant to my research are the July 2016 Implementing Measures for the PRC Counter-Terrorism Law ("XUAR Implementing Measures" 2016), revised in October 2018 ("Revised XUAR Implementing Measures" 2018), and the March 2017 De-Extremification Regulation ("De-Extremification Regulation" 2017), also revised in October 2018 ("Revised Regulation on De-Extremification" 2018).

Generally, the regional implementing measures take a stronger stance against extremism than the national-level framework. In dealing with extremism, the XUAR Implementing Measures view it only in its religious sense and tackle the matter both more resolutely (Xinhua 2016) and with a more Uyghur-specific outlook. This emanates from Art. 7 ("resolutely oppose all forms of using distorted religious teachings or other means to incite hatred or discrimination, and advocate violence and other extremism", transl. by CLT), the list of terrorist activities in Art. 6 and from Articles 50 and 51. Art. 51 (4), for instance, prohibits "distorting the concept of 'halal', or generalizing the concept of 'halal', expanding and mutating it into social life and other areas" (transl. by CLT). These components are in the XUAR context uniquely applicable to Uyghurs. The list of "terrorist activities" in Art. 6 contains at least four types of activities either in excess of or defined in further-reaching terms than in the National Law: for instance, in Art. 6(3)'s references to the prohibition of Kungfu schools already expressed in regional regulations on illegal religious activities and cracked down on in the 1990s (see Amudong 1995, 14). Other prohibitions in Articles 50 and 51 are in excess of those of Articles 80 and 81 of the National Law, in particular Art. 50(5): "using clothing, symbols, and so forth to advocate terrorism or extremism in a public place or compelling others to wear or don terrorist or extremist clothing or symbols" (transl. by CLT). The provisions in the XUAR Implementing Measures thus outpace national legislation in creating a legal framework for the prosecution and pre-emption of extremism as the ideological foundation of terrorism. The recipients are per definition of "extremism" to be religious and via specific references to Islam in the law likely to

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<sup>728</sup> (e.g. Klimeš 2018, 425-428, 434; Zhang, C. 2019a; Zhou, Z. 2018, 76-77; see IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018; China Daily 2015).

<sup>729</sup> This subsection is based on my legal research project (Korte 2018a; 2018b; 2019b).

predominantly be Uyghur Muslims (e.g. Gerin 2016b; HRW 2017; 2018b, 22-23). The penalisation of activities such as “extremist” clothing or extension of the concept of *halal* not only enhances pre-emptive capacities within a criminal justice framework, empowering law enforcement; they also create the risk of misapplication to standardly non-criminal behaviour yet with all the procedural deviations and raised punitiveness that come with charges of terrorism (HRW 2017). This is exacerbated by the criminalisation of nonfeasance (Zhang, C. 2019a, 12-14). Finally, the Rules of Implementation also served as the first baseline for “custodial deradicalisation” in the course of the de-extremification campaign which has been a matter of external concern as a form of extrajudicial detention (IV.9.6, e.g. HRW 2018b; Zhou, Z. 2018, 93).

#### **IV.5.4.2 De-Extremification Regulation (2017)**

Despite the already expansive criminal justice tools developed to tackle extremism in the counter-terrorism framework (e.g. Zhou, Z. 2016b), the XUAR NPC Standing Committee issued an additional Regulation on De-Extremification in March 2017 “so as to contain and eradicate extremism, prevent extremist violations, and bring about social stability and lasting peace and order” (“De-Extremification Regulation“ 2017, Art. 1, transl. by CLT). In contrast to the indirect definition of extremism as the ideology underlying terrorism provided in the counter-terrorism legal framework, it defines extremism as “propositions and conduct using distortion of religious teachings or other means to incite hatred or discrimination and advocate violence” (Art. 3, transl. by CLT). The fact that the Regulation only refers to counter-terrorism legislation but not to terrorism as such indicates that, while countering terrorism might be one of its aims, it actually aims for social stability at large by “eradicat[ing] extremism”. Art. 3 also defines “extremification” as “refer[ring] to speech and actions under the influence of extremism, that spread radical religious ideology, and reject and interfere with normal production and livelihood” (transl. by CLT). Accordingly, the Regulation’s focus is on “propositions and conduct” in the sense of thoughts, speech and documentation thereof rather than on actual activities, and specifically on Islamic “propositions and conduct”. Illustrative examples from the list of “words and actions under the influence of extremism [that] are extremism, and are to be prohibited” include:

- (6) Generalizing the concept of Halal, to make Halal expand into areas other beyond Halal foods, and using the idea of something being not-halal to reject or interfere with others secular lives;
  - (7) Wearing, or compelling others to wear, burqas with face coverings, or to bear symbols of extremism;
  - (8) Spreading religious fanaticism through irregular beards or name selection; [...]
- “(De-Extremification Regulation“ 2017, Art. 9, transl. by CLT)

All three could easily be considered elements of orthodox but not violent adherence to Islam. Reception of these regulations by international media and human rights groups has been

extremely critical because the list of prohibitions refers to many activities that form a core part of Uyghur identity, even absent any anti-Chinese let alone terrorist sentiment.<sup>730</sup> Violations are punished depending on the severity of the circumstances: either through educational measures such as “corrections, [...] criticisms and education or legal education”, “public security administrative sanctions” under the counter-terrorism legal framework or criminal process (“De-Extremification Regulation“ 2017, Articles 46, 48, transl. by CLT). On the one hand, the De-Extremification Regulation and corresponding measures have in their targeting of largely religious or cultural identity-based rather than terrorism-affiliated behaviours become a potent tool for forced assimilation.<sup>731</sup> On the other hand, most items on the list were not new but part of a patchy corpus of prohibitions that had built up in different sections of XUAR under the banner of countering “illegal religious activities” over the previous two and a half decades so the Regulation merely marks the systematisation of previous prohibitions and their legal codification.<sup>732</sup>

#### **IV.5.4.3 Amendments to existing regulations governing de-extremification (2018)**

Within the framework of counter-terrorism legislation formed by the 2015 National Counter-Terrorism Law and the 2016 XUAR Implementing Measures in their original version, there were already certain provisions on deradicalisation (de-extremification) through education in the sense of “custodial de-radicalization” while serving terms in prison.<sup>733</sup> The XUAR De-Extremification Regulation (2017, Articles 46, 48) expanded this at roughly the same time as the so-called “counter-extremism training schools”, later relabelled “vocational training centres”, were built in spring 2017 and reports of Uyghurs’ mass internment for re-education made their way into international media (e.g. Eckert 2017; Zenz 2018a; 2018b). For the first one and a half years of their operation, the XUAR and Beijing governments denied their existence (e.g. Buckley, C. 2018a; 2018b; China Daily 2018; UNOHCHR 2018) even though the centres were broadly covered by existing provisions (Zhou, Z. 2017, 8; 2018, 92-93). Then, on 9 October 2018, the XUAR NPC Standing Committee published its decisions to revise both the De-Extremification Regulation and the XUAR Implementing Measures.

The Revised Regulation on De-Extremification *inter alia* contains the following new Articles which further expanded the legal baseline and also gave a first indication of the goals and content of the “education” provided:

People’s governments at the county level or above may establish occupational skills education and training centers and other such education and transformation bodies and management departments to conduct education and transformation for persons

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<sup>730</sup> (Byler and Grose 2018; Gan 2017a; Roberts 2018, 246; Shepherd and Blanchard 2017).

<sup>731</sup>(IV.9, e.g. Byler and Grose 2018; Clarke, M. 2018; Gan 2017a; HRW 2018b, 3-4, 35-41; Klimeš 2018, 427-429; Roberts 2018, 246; Zenz 2018c).

<sup>732</sup> (e.g. Byler and Grose 2018; Cui, J. 2014; Famularo 2018, 49-50; HRW 2018b, 18-20, 71-74; Klimeš 2018, 427; Shepherd and Blanchard 2017; Zhou, Z. 2018, 90-93)

<sup>733</sup> (“PRC Counter-Terrorism Law“ 2015, Art. 29; “XUAR Implementing Measures“ 2016, Articles 39, 40; see Zhou, Z. 2017, 8;2018, 92-93; cf. HRW 2018b, 94; Daum 2018a; 2018b).

influenced by extremism. ("Revised Regulation on De-Extremification" 2018, Art. 17, transl. by CLT)

Occupational skills education and training centers and other education and transformation bodies shall carry out education and training efforts on the national spoken and written language, laws and regulations, and occupational skills; shall organize and carry out de-extremification ideological education, psychological rehabilitation, and behavioral corrections, to promote ideological conversion of those receiving education and training, returning them to society and to their families. ("Revised Regulation on De-Extremification" 2018, Art. 33, transl. by CLT)

Similar additions were made with the introduction or amendment of Articles 38, 39, 42, 44 and 45 to/of the XUAR Implementing Measures. In combination with an expansion of the list of behaviours classified as extremist, the upshot was the further expansion of already potent detention mechanisms to deal with a yet more broadly construed notion of extremism – the breadth of which RFA's Joshua Lipes (2018e) captures in his description as "criminalizing or labeling as terrorism routine cultural practices" (equally HRW 2018b, 71-74; Meyer, P. 2016a, 13-14; Roberts 2018, 246).

#### **IV.5.4.4 *Interim conclusions: XUAR-specific legislation (2016-2018)***

The four XUAR-specific legal documents analysed in this subsection document two important developments. One is the shift in focus towards ideological prevention by compulsory educational if not coercive means since 2014. From the legal framework and the official narrative this appears to have been dually motivated by concerns for extremist ideology's radicalising potential (e.g. Xinhua 2016; Zhou, Z. 2017, 1) but also by consideration of its destabilising potential short of culminating in acts of terrorism because it challenges social stability and ethnic unity at the level of ideas and is thus considered a self-standing threat to a broadly construed notion of national security (IV.3.4.2, e.g. Clarke, M. 2018; Klimeš 2018, 419-421; Mattis 2018). Here, the XUAR-specific legal framework substantiates the observations made at IV.3 concerning an understanding of counter-terrorism and de-extremification as necessary and thus also in their coercive nature justified components of catering to *general interests* that are either generic in Beetham's sense or specific to CCP ideology. Then, said laws' role has been not only to legally ground coercive measures but also to justify them (e.g. Buckley, C. 2018a), a point that can – as with the larger counter-terrorism framework (IV.5.3, e.g. Klimeš 2018; Zhou, Z. 2018, 76-77) – be associated with the CCP's larger quest to "rule the country according to law" (e.g. Global Times 2018).<sup>734</sup> The second observation is that XUAR's regulations in their breadth and their specific denotations not only focus on religious extremism but are tailored if not biased towards the Uyghur context (Korte 2018a) and offer a

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<sup>734</sup> (see here Klimeš 2018, 425; Zhou, Z. 2016b, 13; 2017, 7; see generally IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 330, 334, 337; China Daily 2015).



broader repertoire of educational and coercive counter-measures utilisation and impact of which I discuss at IV.9 (e.g. Roberts 2018, 246).

#### IV.5.5 Summary of the legal framework<sup>735</sup>

Between 1990 and 2018, China's and XUAR's legal frameworks for countering TSE developed from no terrorism-specific criminal offences or legislation into a very comprehensive one with significant steps in 1997, 2001, 2011 and 2015 to 2018. As a framework for coercion, that development has consistently been within what Pedahzur and Ranstorp (2001) define as an *expanded criminal justice approach*. It began with the adjudication of other state-security and from 1997 terrorism offences in the course of *yanda* campaigns under extraordinary circumstances with respect to procedure and agents of force (IV.6.2, e.g. Reeves 2014, 4-5). It was expanded with the incorporation of a number of preparatory offences – most significantly by Amendments III in 2001 (IV.5.2.2, e.g. Clarke, M. 2010) and IX in 2015 (IV.5.2.4, e.g. Li, E. 2016, 362-363) and the correspondingly altered Criminal Procedures Code in 2012 (IV.5.2.3, e.g. Zhou, Z. 2014, 147-153). It culminated with the adoption of the 2015 Counter-Terrorism Law which finally grounded the deployment of non-law enforcement agents, including the use of extrajudicial lethal force, in specific counter-terrorism legislation (Art. 62; IV.5.3, e.g. Li, E. 2016, 371-372). Without doubt, the punitiveness of the criminal justice approach has increased over that period (Li, E. 2016), especially under the newer prerogative of prevention (e.g. Zhou, Z. 2015a).

The last subsection (IV.5.4) carved out how the move towards prevention has, in XUAR-specific legislation between 2016 and 2018, yielded wide *extremism* and *terrorism* definitions and broad as well as intrusive de-extremification measures. Those have become potent legal tools in fostering Uyghurs' assimilation by subjecting them to collateral de-extremification education, based on the identification of many cultural and religious practices as extremist and thus state-security relevant (e.g. Byler and Grose 2018). While the extent and effects of de-extremification are discussed at IV.9.6, two elements from the legal framework stand out by way of their legitimacy-relevance. One is that there are systematic diagnostic and legitimacy-relevant reasons why extremism, however broadly defined, may indeed be state-security relevant: as the ideology underlying terrorism (IV.5.3-4; e.g. "PRC Counter-Terrorism Law" 2015, Art. 4; see Zhang, L. 2016) and as a challenge to ethnic unity as a component of broadly construed national security (IV.3.4.2, e.g. Clarke, M. 2018; Klimeš 2018, 419-421; Mattis 2018). The two refer back to the potential legitimacy of counter-terrorist coercion by referring to its deployment in the line of duly performing on *general interests*. With Beetham (II.5.3.4, II.5.6), these are in the case of the first generic and in the case of the second enshrined in ideology (II.5.7.1, e.g. Holbig 2006, 2013). The upshot is that the laws in this section consolidate the

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<sup>735</sup> Based on the entire section, this subsection contains similarities with Korte (2016c; 2018a, 2018b; 2019b).

argumentative line via which the coercion applied is (a) justified in reference to guarding those interests and (b) frameable as legitimate because compliant with the rule of law, at least in the procedural sense. That in turn fits the CCP's larger quest to "rule the country according to law" both in terms of counter-terrorism and in XUAR specifically.<sup>736</sup> Thus, the legal framework for coercive counter-terrorism is not only another indicator for Beijing to be countering TSE because they pose a threat to *general interests* and countering them is thus a requirement for upholding the legitimacy of power, but an indicator that justification as legal emerges as an additional avenue for claiming legitimacy.

## IV.6 Coercive counter-terrorism

### IV.6.1 Overview

This section details the development of coercive counter-terrorism as applied by (para-)military and law enforcement agents. The merger of coercive, what Klimeš (2018) calls "ideational governance" and communicative techniques in the course of the de-extremification campaign from 2014 is discussed separately below (IV.9). The development of coercion is charted in three periods: 1990-2007, 2008-2009 and 2010-2018. The reason for this particular division is not that coercion in the run-up to the 2008 Beijing Olympics or in the aftermath of the 2009 riots in Urumqi marked a turning point. Rather, the latter are a good case-study for an otherwise consistent approach, at least until 2014: the combination of extrajudicial suppression of specific incidents with accelerated and intensified but discriminate criminal justice measures in the course of strike-hard campaigns in their aftermath as well as latent psychological deterrence by various means. The most significant development after Urumqi, by contrast, was the increased application of the expanded criminal justice means of prevention discussed in the previous section. Especially from 2014, these helped tackle extremism in its capacitating role for terrorism but also as a state-security threat in its own right (IV.6.4, e.g. Li, E. 2016). The legitimacy-relevance of these observations pertains mostly to the citation of their legality in line with the larger thrust for law-based rule since 2012 (IV.5.3, 8.5.2, e.g. Klimeš 2018; Zhou, Z. 2018, 76-77). This also ties in with Beetham's (2013, 138-139) placement of coercion within the context of a legitimate exercise of power where applied to guard *general interests*.

### IV.6.2 Use of force and strike-hard campaigns (1990-2007)

Reports from Baren (1990; Clarke, M. 2007, 77-78; ETIC 1993; Wayne 2009, 256), from the February 1997 riots in Yining and the Urumqi bus bombings (Davis, A. 2003, 11; Vicziany 2003, 250-251; Zhou, S. 1997a) as well as from a period of unrest in 1998 (Stratfor 1998) indicate a pattern: areas of protests were placed under martial law, troops flown in from Lanzhou, checkpoints set up, house-searches conducted and curfews imposed. The suppression of the Baren (1990) and Yining (1997) riots did involve a degree of indiscriminate and also lethal

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<sup>736</sup> (e.g. GlobalTimes 2018; Klimeš 2018, 425-428, 434; see IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 330, 334, 337).

violence at the hands of the PLA, a practice admitted to and defended “after warnings prove ineffective” by XUAR CCP Secretary Wang Lequan (1997a, 42) in 1997.<sup>737</sup> Generally and outside of the handling of specific incidents, the Chinese strategy was not to conduct a military campaign but coercively target the separatist scene by large-scale arrests and sometimes the rendition of death penalties via the criminal justice system.<sup>738</sup> According to one report, for instance, in 1990 and 1991, there were 6,000 separatism-related arrests in XUAR (JID 1992b; see AI 1992). The second coercive component, dealt with at IV.7, was the somewhat less discriminate control and suppression of religious gatherings deemed to carry ethno-separatist and thus violent potential.<sup>739</sup>

Typically, those means of coercion have been applied in the course of so-called “strike-hard” (*yanda*) campaigns. The campaigns last between several months and years, are characterised by accelerated and minimalistic investigative and judicial process, summary prosecutions and group sentencing, with numbers of arrests in the thousands, sometimes tens of thousands.<sup>740</sup> The first counter-terrorism-relevant strike-hard campaign began in April 1996 as a China-wide campaign to fight crime and corruption and in XUAR focused specifically on charges of religious extremism and separatism.<sup>741</sup> According to Dillon (2004, 85-87), it already resulted in 1,300 arrests that April and 4,000 by June.<sup>742</sup> The next campaign, this time in Xinjiang only, commenced in January 1999 for the duration of 100 days, now also including terrorism (Dillon 2004, 127-130; HRW 2005a, 67-68). In March 2001, a two-year-long nation-wide anti-crime campaign was announced, once more with an anti-separatist focus in XUAR.<sup>743</sup> By May, Stratfor (2001a) already reported over 480 individuals executed on state security charges.

With renewed campaigns in 2002, 2003, 2004 and 2006 (Bovingdon 2010, 132; HRW 2005a, 67; Stratfor 2006a), the post-9/11 phase marked neither a break from nor an escalation of previously seen means or patterns other than the fact of their altered framing as part of the GWOT (IV.3.3.2, e.g. Roberts 2018, 233-234, 238; Rodríguez-Merino 2018). If anything, the rhetoric became more openly aggressive, with Wang Lequan stating that “security forces would maintain ‘a strike-hard, high-pressure posture’” and vowing to “undertake pre-emptive strikes” (quoted in Lam 2002 from state media). Any earnest evaluation of the scale of coercion applied

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<sup>737</sup> (e.g. AI 1992, 1.2; Dillon 2004, 62-66, 94-98; ETIC 1993; JID 1992a; Vicziany 2003, 248-252).

<sup>738</sup> (e.g. AI 1999; Davis, A. 1996a, 420; Jamestown 1997; Stratfor 1998; Vicziany 2003, 245-247; cf. Wayne 2009, 256 who argues that the approach was indeed military in 1990).

<sup>739</sup> (e.g. AI 1992, 1.3; 1997; Clarke, M. 2010; Davis, A. 1996a, 421; Dillon 2004; Millward 2004, 16-17; Tong 2010a, 6-7).

<sup>740</sup> (e.g. Bovingdon 2010, 131-133; Clarke, M. 2010, 545; 2015, 129; Davis, A. 1996b; HRW 2001; 2005a, 65-69; Korte 2016c; Li, E. 2016, 351-355; Reed and Raschke 2010, 27-29; Reeves 2014, 4-5; Starr 2004, 15; Vicziany 2003, 255).

<sup>741</sup> (e.g. AI 1997; Becquelin 2000, 88; Clarke, M. 2011, 129-132; Davis, A. 1996b; Dillon 2004, 84-92; Dreyer 2001; Dwyer 2005, 53-54; Fuller, G. and Lipman 2004, 324-325; Gladney 1998, 6; HRW 2005a, 66-67; Millward 2004, 16-17).

<sup>742</sup>(see Davis, A. 1996a, 420; 1996b; Jamestown 1996; Millward 2004, 16; Stratfor 1996 writes that “nearly 18,000 Moslem activists” were arrested and Vicziany (2003, 252) speaks of 57,000, neither of which can be verified).

<sup>743</sup>(AI 2002; HRW 2001; 2003a, 11; 2005a, 67-68; Lam 2001; Vicziany 2003, 255).

in that period is complicated by the scarcity of data on convictions due to said reporting restrictions on ethnic and religious matters (IV.3.2.1, e.g. HRW 2005a, 30-31). Yet, scholars and human rights organisations point inter alia to frequent searches of houses and religious institutions, confiscation of materials, administrative detention as well as to the rendition of death sentences to illustrate that criminal justice coercion in the name of counter-terrorism was applied to an extent that is, by most standards, broad and lavish, with particular fallout towards orthodox religious practitioners.<sup>744</sup>

Noteworthy for my analysis is the fact that the agents of force have not only been law enforcement but included the PLA, PAP and XPCC (Dillon 2004, 88-89; Reeves 2014, 4-5), i.e. (para-)military forces that lack a law enforcement mandate. Governmental documents and politicians' statements from the 1990s indicate that the PLA contingents stationed in Xinjiang were asked to maintain a high level of combat readiness and cooperate with the PAP, XPCC and local police forces to form a "four-in-one system of joint defense."<sup>745</sup> Meanwhile, as noted at IV.4.3.1, from the mid-1990s onwards, the PLA left the bulk of operations to more specialised PAP and local units.<sup>746</sup> While that is generally consistent with Pedahzur and Ranstorp's (2001) *expanded criminal justice model*, a component they do not account for but which is significant in the Chinese case, is the deterrent capacity of the mass of (para-)military forces based in XUAR as part of the "four-in-one system of joint defense". Wayne (2009, 255-257), for instance, argues that their real contribution to stabilisation has been the psychologically deterrent potential emanating from the sheer number of forces – what he calls "the force of bodies": In 2005, the number of PLA, PAP and XPCC came to roughly 2.5 million compared to 20.5 million total residents in the region (see Bovingdon 2002, 66-67; Korte 2016c; Trough 2003, 13).

Finally, a psychologically relevant aspect that ties in with Wayne's observation is the practice of mass-sentencing rallies. As an Amnesty International (AI) report explains:

Mass sentencing rallies are meetings organized jointly by local government authorities and the judiciary, ostensibly to 'educate' the public and deter crime. Attendance is usually mandatory for selected employees and school students. Prisoners are displayed before the meeting and the sentence imposed on them is read out; they are unable to present a defence and are forced by guards to adopt a humiliating posture, head bent down. (AI 1992, 4.)

Reports of such mass-sentencing rallies with attendance in the hundreds of thousands and subsequent executions are available, for instance, for January 1992 (AI 1992, 4.), February 1997 (HRW 2001; Jamestown 1997; Vicziany 2003, 246), April 1997 (Vicziany 2003, 251),

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<sup>744</sup> (e.g. Clarke, M. 2010, 550-555; HRW 2005a; Jamestown 2008c; Roberts 2012; UHRP 2010, 12-14; Vicziany 2003; see IV.7).

<sup>745</sup> ("Document #7" 1996, 5; "Opinions on #7" 1996, 47-49; Wayne 2009, 256-257; "Xinjiang White Paper" 2003, IX; Zhou, S. 1997a, 52).

<sup>746</sup> (Davis, A. 2003, 11; Odgaard and Nielsen 2014, 545; Wang, Yinghui 2011, 156; Wayne 2009, 256).

July 2000 (JIAA 2000a) and for several more in spring and autumn 2001 (AI 2002, 27-30; Hollingsbee 2001, 12; HRW 2001). Public sentencing and executions can be seen as part of an effort to deter potential offenders by setting an example – as is the case with the national strike-hard campaigns more generally (Shichor 2005, 125), though their effectiveness to that end invites serious doubts in light of backlash, for instance at Yining in 1997 (AI 1997; HRW 2001).

#### **IV.6.3 Urumqi 2009: a turning point? (2008-2009)**

Against the backdrop of Chinese reporting practices, it is unclear whether it was coercion that began to pick up or only government reporting, but from January 2007 through the Beijing Olympics, there are many reports of counter-terrorism operations and terrorism-related arrests in XUAR (e.g. Bovingdon 2010, 133; Kanat 2012, 520-521; Stratfor 2007; Xinhua 2007). With Wang Lequan redeploying the 1990s' rhetoric of a "life or death struggle" against terrorism,<sup>747</sup> there were more reports of security forces' raids in 2008<sup>748</sup> but also apprehensible exclusion of Uyghurs in the capital (York 2008). According to official numbers, the number of Uyghurs arrested on state security-related charges reached almost 1,300 in 2008, compared to 742 the previous year (UHRP 2010, 14; see Roberts 2018, 242). Yet the best case for considering whether there was a development in the Chinese approach to coercion between 2008 and 2010 is the government's handling of the Urumqi riots (IV.2.4). That, I argue, is best understood as placed along a larger trajectory consistent with the CCP's threat perception, with a turning point in only one respect.

The government's swift handling of the incident basically followed the Baren protocol. Reinforcing the PLA, implementing roadblocks, imposing curfews and conducting house searches are all measures consistent with previous reactions to similar incidents in the 1990s.<sup>749</sup> The fact that within a matter of two days from the riots' beginning over 1,400 Uyghurs were detained possibly marked an escalation along established lines (AI 2010, 21; CNN 2009; CQCD 2009a, 1135-136). The same could be said about the sheer number of criminal cases opened (e.g. CQCD 2009a, 1139; HRW 2009b, 18-19; Li, E. 2016, 378), the explicit prioritisation of political considerations in the course of the ensuing proceedings (AI 2010, 23; HRW 2009a; 2009b, 19-20) and the harshness of the sentences handed down subsequently.<sup>750</sup> I find the scale and intensity of these measures and their implementation under the counter-terrorism framework to be indicative of the existentiality of the threat that the CCP saw to emerge from XUAR's social movements in July 2009 (Warikoo 2016, 176, 178). Connected to this, the most significant aspect of the government's handling of Urumqi in my view is the

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<sup>747</sup> (quoted in Roberts 2018, 241-242 from UHRP 2008, 2; see Jamestown 2008c; Vatanka 2008).

<sup>748</sup> (CQCD 2008, 970; Hastings 2011, 910-911; JTSM 2008a; 2008b; Le Mière 2008a; Xinhua 2009a).

<sup>749</sup> (for reports on the various ad hoc measures see e.g. CNN 2009; CQCD 2009a, 1133-1134; Fu, H. 2012, 339; HRW 2009b, 21-31; Hu, Y. et al. 2009; Lei et al. 2009; Millward 2009, 354; Stratfor 2009b; Zenz and Leibold 2017b).

<sup>750</sup> (e.g. AI 2010, 22-23; CQCD 2009a, 1139-1140; 2009b, 238-239; Li, E. 2016, 378-379; Roberts 2018, 242-243; UHRP 2010).

communications lockdown that was imposed on the region after the first wave of reports had ebbed down: from 6 July, internet, SMS and phone communications were cut off and only gradually reinstated between January and May 2010 to “prevent violence from spreading to other places.”<sup>751</sup> It meant the extension of a type of coercive measure to the region and its inhabitants at large without distinction. Regardless of whether the original escalations are accepted as terrorist or not (e.g. Roberts 2018, 242; Trédaniel and Lee 2018), the measure signposted a readiness to forcibly prevent them from creating the ripples in the communicative realm characteristic of terrorism as a violent form of communication.

#### **IV.6.4 From campaign-style coercion to striking hard permanently (2010-2018)**

For the first years after the Urumqi riots, I find the trend of harsh but discriminate coercion predominantly in the form of accelerated criminal justice means but also some extrajudicial coercion in the course of strike-hard campaigns extrapolated. That is not to say that coercion was not, by most standards, strong and does not withstand the indiscriminate tendencies already inherent in the approach to suspect religious practices and communities (IV.7.5-6). However, I am cautious to emphasise indiscriminacy or escalation too early (as do, for instance, Reed and Raschke (2010, 28-29), Roberts (2018, 241) or Smith Finley (2018, 5-6)). Those are powerful descriptors – more is always possible – that in my view fit only and not totally the developments seen from 2014. At that point, Beijing strategically stepped up coercive measures, but not towards indiscriminacy, and intensified surveillance and psychological components which in turn only reached an indiscriminate degree with their acceleration under Chen Quanguo from mid-2016 (IV.9). In that vein, the replacement of XUAR Party Secretary Wang Lequan with Zhang Chunxian in April 2010, in combination with the “leapfrog development” outlook adopted at XWF1 (IV.10.3.1, e.g. Hu, J. 2010; Xinhua 2010b), expected to yield a new focus on the amelioration of root causes of discontent rather than on coercion,<sup>752</sup> did not make much of a change on the ground. The pursuit of Urumqi-2009 perpetrators continued apace as did strike-hard campaigns with another one called in August 2011 to crack down on terrorism and various religious and online-activities.<sup>753</sup>

The tide turned towards an intensification of coercion in 2014, following the spate of attacks in- and outside of the region that began in summer 2013 (V.2.5). 2014 saw the convergence of a year-long XUAR-specific strike-hard campaign with a focus on extremist material, especially online, launched in January with a nation-wide campaign launched in May.<sup>754</sup> President Xi Jinping vowed to “severely punish violent terrorists”, maintain a ‘strike first’ policy and ‘crack down on them with a heavy fist”, promising “extremely tough measures and

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<sup>751</sup> (Urumqi CCP Secretary Li Zhi quoted in Xinhua 2009b; AI 2010, 16; see CQCD 2009b, 239; 2010a, 516; 2010b, 783; HRW 2009b, 15-16; Hu, Y. et al. 2009; Roberts 2018, 243; UHRP 2010, 15-20; Xinhua 2014m).

<sup>752</sup> (CQCD 2010b, 783-784; Kuo 2014; Schwarck 2013; Stratfor 2013c; Vandenbrink and Juma 2010).

<sup>753</sup> (UNPO 2011c; see CQCD 2011c, 1080-1081; HRW 2012; McDowall 2011).

<sup>754</sup> (Mudie 2014b; Stratfor 2014c; 2014d; 2014f; 2014k; Xinhua 2015b; 2015c; “Xinjiang Notice” 2014; Zhun 2014).

extraordinary methods.”<sup>755</sup> In their vows (e.g. Cui, J. and Gao 2014a; Ng 2014a), leaders stayed true to the altered perception of extremism as an ideological baseline of terrorism and nascent understanding of it constituting a national security threat in its own right (IV.3.4.2, e.g. Clarke, M. 2018). Another term used to describe the envisaged stealth of the crackdown which has remained in use since was the call to construct “a wall of bronze and iron.”<sup>756</sup> While the original XUAR-campaign was to last only one year, it was first prolonged through 2015 and then intensified and extended indefinitely in 2016 (Cui, J. 2016; Harris, R. and Isa 2018, 4; HRW 2018b, 11-12). This effectively marked a shift from the temporary campaign-style conduct of coercion into a permanent strike-hard effort that has retained all the original characteristics of campaign-style criminal justice (Shah 2016; Zhou, Z. 2014, 139). That is assumed to have included extrajudicial killings at the hands of security forces, but Chinese reports on counter-terrorism operations continue to be scarce and sparing in the level of detail save for their reference to casualties as terrorist only.<sup>757</sup> Meanwhile, the National Counter-Terrorism Law (2015; Art. 62) had legally grounded the measure (Li, E. 2016, 371-372; see IV.5.3).

The intensification of coercion is seen in three inter-related areas: surveillance, criminal justice and psychological deterrence. Surveillance and policing were expanded with XUAR’s counter-terrorism budget doubled from 2013 to 2014 (AP 2014; Cui, J. and Gao 2014a) as well as with human and technical intelligence, discussed further at IV.9. Initially this contributed to the gathering of intelligence towards the earlier pre-emption of TSE via criminal justice. Yet with the education and rectification campaigns initiated in 2015 and de-extremification – at least not formally constituting a coercive measure – since the advent of Chen Quanguo as XUAR CCP Secretary in 2016, that surveillance has become the baseline for the region-wide administration of indiscriminate psychological coercion (IV.9, e.g. HRW 2018b; Roberts 2018, 247-253).

Secondly, although there are no disaggregated official data in that respect (Li, Z. 2015, 587-588), reported state-security crimes doubled from 2015 to 2016 (HRW 2017). Those criminal processes that were documented in open-source media increased measurably in numbers as well as in the severity of verdicts handed down, for instance, with 40 death sentences between May and November 2014 alone (UCA 2014; see Li, E. 2016, 375-379). In line with the pre-emptive application of criminal justice towards prevention, many sentences were handed down in connection with online offences (AFP 2014a; Gerin 2016a; HRW 2017; Xinhua 2015c). There has been some fallout for those dissidents who chose to placatively voice criticism of

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<sup>755</sup> (quoted in AFP 2014a from CCTV, *n.d.*, and quoted in UCA 2014; see Blanchard 2014a; Ng 2014b; Shah 2016; Xinhua 2014e; 2014g; Zang 2015, 155; Zhang, Hong 2014).

<sup>756</sup> (Xinhua 2014g; see Rudolph 2017; Stratfor 2014a; Xinhua 2014a; 2014e; 2017c; 2017d).

<sup>757</sup> (e.g. BBC 2015b; 2015c; China Daily 2017; Eckert 2015; Martina 2016; Martina and Blanchard 2015; Volodzko 2015).

XUAR policy in the region over channelling their discontent through the established less-overt party-internal mechanisms, most prominently the case of Ilham Tohti, an internationally prominent Uyghur economics professor convicted of separatism in a September 2014 show trial (e.g. Meyer, P. 2016c; Mudie 2014a; Phillips 2016; Xinhua 2014f). With respect to TSE as regarded among the most serious offences and in XUAR specifically, the strike-hard prerogative has continued to prevail (Li, E. 2016, 375-376; Zhou, Z. 2018, 83). Notwithstanding that, local authorities have occasionally offered those who voluntarily give themselves up to participate in de-extremification rather than receive criminal punishment, yet at least most of the circumstances under which such deals are struck are relatively minor to begin with and no data exists as to their application (e.g. Lipes 2018e; Martina 2017b; Zhang, Hui 2018). Third, the XUAR government chose to capitalise on psychological deterrence by returning to formerly abandoned practices of public mass-sentencing rallies and live executions, for instance, in May and November 2014.<sup>758</sup> Another practice added to the psychologically deterrent repertoire in 2017, though in itself not coercive much like what Wayne (2009, 255-257) described as the deterrent capacity of “the force of bodies”, has been the staging of counter-terrorism rallies. Thousands of soldiers or PAP forces parade through XUAR’s major cities, carrying counter-terrorism propaganda posters and “pled[ing] to fight terrorism and tighten security.”<sup>759</sup>

These three developments have been inter-related and cumulatively meant an intensification of coercion from 2014. Coercion has been kinetically harsh but discriminate, potent in its criminal justice components and has relied on the amplifying effects that the sheer force presence, show trials and public executions have for psychological deterrence. A final component that flanks these measures and helps to classify the approach as well as identify its legitimacy-relevance is officials’ constant reiteration of the importance of coercive measures’ compliance with the law.<sup>760</sup> First, that is in line with the larger thrust to law-based rule seen since 2012 (IV.5.3, e.g. Klimeš 2018, 425-428, 434; Zhou, Z. 2018, 76-77). It is also in line with Beetham’s (2013) conjectures pertaining to the legitimacy of coercion applied in the line of guarding the *general interest of security* (138-139; see II.5.3.4) and in the *state-socialist* framework specifically (182-186). Secondly, at a conceptual level, these characteristics are consistent with Pedahzur and Ranstorp’s *expanded criminal justice model* because the intention remains “bringing suspects to trial” (Pedahzur and Ranstorp 2001, 5) in contrast to covert extrajudicial pre-emption in Bhoumik’s (2005) *intelligence model* (II.3.3). That is even though the heavy reliance on surveillance, conceptual embedment of TSE – especially extremism – in the national security rather than criminal context and fallout from some of the

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<sup>758</sup> (Clarke, M. 2015, 132; 2016a, 308; Krishnan 2014; Li, E. 2016, 379-380; Rajagopalan 2014a; Stratfor 2014e; 2014f; 2014i; UCA 2014).

<sup>759</sup> (Global Times 2017d; see Clarke, M. 2017a; 2017b; see Bai 2017; Phillips 2017a; 2017b; 2017c; Wen 2017; Ye 2017).

<sup>760</sup> (e.g. AP 2014; Xinhua 2014l; see Cui, J. and Gao 2014a; Xinhua 2015b). Zhang Xiaoling et al. (2018, 794-797) substantiate this in their analysis of news content in *Xinjiang Daily* for the year 2014.



coercive measures towards groups with higher “collectivity” also fit the *intelligence model*. Nonetheless, it is the emphasis on criminal justice in the narrative and in practice that guides my classification. And it is this aspect which, in addition to the above-mentioned more and harsher verdicts and deterrent function of public sentencing, actually renders the evolved system more coercive than previously (Li, Enshen 2016, 349).

#### IV.6.5 Summary of coercive counter-terrorism

Over the period analysed, coercive counter-terrorism has been within the framework of what Pedahzur and Ranstorp (2001) model as an *expanded criminal justice* approach, deploying a mix of law enforcement and (para-)military forces to initially punish and later also prevent TSE. Within that framework, extrajudicial kinetic force has sometimes been applied, mostly in the suppression of specific incidents such as the 1990 Baren uprising (IV.6.2, e.g. AI 1992, 1.2) or the 2009 Urumqi riots (IV.6.3, e.g. Fu, H. 2012, 339), in the strike-hard campaigns that followed and on some, though rarely reported, occasions of CTOs. Against the backdrop of aerial bombardment seen during the Chechen CTO in Russia, the use of kinetic force in XUAR does not qualify as indiscriminate although the group of people it was aimed at may have been broadly defined.

The developments seen in the coercive approach can mostly be extrapolated backwards from four observations made for the last period. First, measures seen in strike-hard campaigns became legally grounded beginning in the early 2000s, but mostly through Amendment IX to the PRC Criminal Code and passage of the National Counter-Terrorism Law in 2015 (IV.6.4; Li, E. 2016; see Korte 2016c; 2018a; 2018b, 2019b). With that, the legality claims raised by politicians (e.g. Xi in Xinhua 2014l) have become less and less hollow, procedurally resembled Beetham’s (2013, 138-139) argument that coercion can occupy a fully legitimate role in the course of guarding the *general interest* and tied in with the CCP’s larger quest to “rule the country according to law” since 2012 (IV.6.4, see IV.5.3, 8.5.2, e.g. Klimeš 2018, 425-428, 434; Zhou, Z. 2018, 76-77). Indeed, those coercive means have somewhat normalised both by virtue of that legality and by the indefinite extension of the 2014 strike-hard campaign (IV.6.4, e.g. Zhou, Z. 2014, 139). Secondly, over time TSE-related sentences have become more and harsher, again with that trend becoming more robust since 2014 (IV.6.4, e.g. Li, E. 2016, 375-379). Third and related has been the focus on extremism in that respect, both rhetorically (e.g. Ng 2014a) and in terms of criminal justice (e.g. HRW 2017). This trend ties in with the dually threatening nature of extremism as the ideology underlying terrorism and as a threat to ideologically grounded CCP *general interests* in its own right (IV.3.4.2, e.g. Clarke, M. 2018; Klimeš 2018, 419-421; see Korte 2016c; 2018a). A fourth and final component, thorough discussion of which requires deeper understandings of the conceptual tension between XUAR Uyghur Islam and CCP legitimacy, is the CCP’s accordingly different approaches to seize control of or instrumentalise XUAR Uyghur Islam (see IV.7) and of the coercive effects of

omnipresent surveillance rolled out since 2014 (IV.9). These are means of control and psychological influence just short of the type of coercion envisioned in the coercive models outlined at II.3.3. Meanwhile, the deterrent effect of the sheer number of potentially deployable (para)military and police units in XUAR, public sentencing rallies and executions and the recently added counter-terrorism rallies already constitute an important part of what I consider a cross-cutting feature of Chinese counter-terrorism that embraces means of communicative counter-terrorism, too: psychological deterrence (Korte 2016c).

## **IV.7 Governance of religion**

### **IV.7.1 Overview**

This section charts the development of governance of XUAR Uyghur Islam through the control and management of Islam as an institution, communal and to some extent individual practice. I am separating this subject from both coercive and communicative counter-terrorism for two reasons: On the one hand, it contains aspects of both and grouping it with one rather than the other might misinsinuate a better fit there. On the other hand, governance of religion in general and of XUAR Uyghur Islam in particular is only co-motivated by concerns of countering TSE and equally if not in some respects more a function of the CCP's general pursuit of national unification and ideological hegemony next to concerns for the physical security threatened by terrorism (and indirectly extremism) and the "ideological security" threatened by religious extremism (Klimeš 2018). In outlining the development of governance of religion I have therefore tried to strike a balance between the CCP's general ideological stance vis-à-vis and organisational approach to religion as well as terrorism-specific arguments and accordant measures.

Aside from the CCP's general suspicion towards religion, the key to understanding religious policy in XUAR over time lies in identifying what type of role the CCP understands (a) religion to play as a doctrinal body and (b) religious sites and institutions as organisational settings and social phenomena both in and of themselves and in relationship to other components of the TSE threat complex. The basic development in the latter respect has been from understanding XUAR Uyghur Islam as an ideological framework within which separatism could gain traction, an instrument of its foreign-sponsored propagation and organisational staging ground in the 1990s (IV.3.3/7.2, e.g. Fu, H. 2012, 344-345) into one where the threatening ideological potential arises from religious extremism as such in the 2000s which paralleled but was not necessarily caused by the global jihadist turn in the threat narrative (IV.3.4/7.4, e.g. Klimeš 2018, 419-421). This has culminated in the whole-sale condemnation and eventually securitisation of allegedly extremist ethno-cultural and religious customs peaking in the de-extremification campaign (see IV.9).

In terms of my legitimacy-interest, while even the most repressive aspects of religious policy can be linked to the understanding of Uyghur Islam as a potential avenue for the development

of terrorism as well as the ideational threat emanating to various aspects of CCP ideology from it, there has also increasingly been a constructive component of the management of religion in general and of Uyghur Islam in particular. It has contributed to mobilisation in favour of the CCP's ideologically defined legitimacy goals otherwise, indicated by Wang Lequan as early as 1991 (HRW 2005a, 28). In the Xi era (since 2012) and yet more since the Religious Work Conference in 2016 – as Uyghur Islam's securitisation has intersected with a general overt and aggressive effort at sinicising religion, the fact that the CCP has seized for itself both doctrinal and organisational authority over XUAR's Islam has catalysed governance of religion's contribution to legitimacy in several areas beyond its assumed contribution to terrorism prevention. As far as the why is concerned, i.e. the question how the government's generic legitimacy (re)sources act as assets or constraints here, the single-party's congruity with the system has capacitated the stringent implementation of the measures but it should be noted that specifically with respect to XUAR Uyghur Islam, the seizure of control far preceded and exceeded that of the CCP's national-level rediscovery of religion's ideologically legitimating and organisationally mobilising potential and has in itself been leveraged first and foremost in reference to national security considerations.

#### **IV.7.2 Governance of religion and XUAR Uyghur Islam until 2000 (1990-2000)**

##### **IV.7.2.1 *The CCP and religion*<sup>761</sup>**

Per her Constitution, the PRC is a secular country that grants her citizens two types of religious freedoms – the right to believe and the right not to: “No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion” (“PRC Constitution“ 1982, Art. 36; see HRW 2005a, 26). As a rule, the CCP has always eyed religion with caution if not suspicion. While from the dialectic materialist viewpoint, religion was long considered yet another manifestation of contradictions (class struggle) to disappear in the course of common development,<sup>762</sup> suspicion has mainly arisen from two issues. One is the fear that it would be used by foreign powers to undermine CCP rule, a point already emanating from Art. 36 of the Constitution (“Religious bodies and religious affairs are not subject to any foreign domination”) (e.g. HRW 2005a, 26; Wellens 2009, 436, 439-441). For instance, in 1990, Jiang Zemin (1990, 23) warned of “infiltration activities conducted abroad under the signboards of ‘ethnicity’ and ‘religion’” (see e.g. Wang, Lequan 1998, 82-83). The other cause of suspicion is that religion has been understood as another ideology (e.g. Zhang, Xiuming 1998, 74), one with a potential to mobilise parts of the population in direct competition to the CCP (Lai, H. 2006, 58).

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<sup>761</sup> This subsection is partly based on Korte (2016a).

<sup>762</sup> (Document #19 as cited in Lai, H. 2006, 57-63; Laliberté 2011, 4-5; Potter, Pitman 2003, 319-320),

The CCP has thus long sought to clearly delineate and regulate the space in which religion is permitted to operate with a series of national-level regulations in 1994, 2004 (“RRA“ 2004) and 2017 (“Revised RRA“ 2017; see HRW 2005a, 6). At the core lies a dichotomous distinction between permissible, to a certain extent even desirable “normal religious activities”, protected under Art. 36 of the Constitution and Art. 11 of the National Autonomy Law, and so-called “unlawful” or “illegal religious activities” (e.g. Clarke, M. 2007; HRW 2005a, 25-28; Potter, Pitman 2003, 327-328). The CCP has also sought to keep politics clear of religion by prohibiting that CCP members practice religion, a policy laid down in Document #19, the first benchmark document on religious policy issued in 1982.<sup>763</sup> This stance has survived into the present (see IV.7.4.1, e.g. Cao, N. 2018, 2). Finally, the CCP has co-opted the five grand religions it recognises (Buddhism, Taoism, Islam, Catholicism, Protestantism (HRW 2005a, 27) institutionally and thus also in terms of doctrine; this has happened by subordinating them to state-sanctioned official organisations, the *xiehui*, a strategy articulated in Document #19 (1982) and also underlying Documents #6 (1991) and #145 (1994) (cited in Lai, H. 2006, 59-63 and Potter, Pitman 2003, 320-321; see Famularo 2018, 45-49). In the case of Islam, this is the Islamic Association of China (IAC), founded in 1953 and reinstated in 1980 after a period of disbandment during the Cultural Revolution.<sup>764</sup> The fact of that subordination as well as its aim have been communicated openly under the slogan of “guiding religion to adapt to socialist society”, a phrase circulating in China since 1990 and officially used by Jiang Zemin in 1993.<sup>765</sup> The upshot from that control from within has been the CCP’s ability to not only suppress those elements of religious doctrine it understands as a threat but also to push through with adaptations in religious doctrine and practice that contribute to rather than jeopardise the legitimisation of its power more generally.

#### **IV.7.2.2 Policy on XUAR Islam**

In the 1990s, the primary threat which the CCP saw to emanate from Uyghur Islam was its instrumentality towards separatism in ideological and organisational terms as emerges, for instance, from a statement by Wang Lequan after the Yining incident in February 1997:

That band of thugs was engaged in separatism under the banners of ethnicity and religion. They were using the banners of ethnicity and religion to hoodwink and deceive the masses, to fan up ethnic hatred and religious hatred, and to organize forces spearheaded against the leadership of the Chinese Communist Party (CCP) and against the political power of our socialist state. (Wang, Lequan 1997a, 37, see 40)<sup>766</sup>

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<sup>763</sup> (“Document #7“ 1996; Hu, J. 2010, 71; see also Harris, C. 1993, 120; Tong 2010a, 5; Laliberté 2011, 12-13; Wellens 2009, 436)

<sup>764</sup> (Clarke, M. 2007, 53; Friedrichs 2017, 61; Laliberté 2011, 4; Lutfi 2004a; see Korte 2016c).

<sup>765</sup> (Meng, Y. 2018, 49-50, tracing his quote to the National Conference on United Front Work; see HRW 2005a, 28; Wang, Lequan 1998, 82).

<sup>766</sup> (see Aisihaiti 1997, 28; “Opinions on #7“ 1996, 21; Wang, Lequan 1997b, 47; 1998, 74; Zhou, S. 1997b, 64; see also Vicziany 2003, 249; Wang, D. 1998, 5).

The Autonomous Region CCP Committee's UFWD Opinions on Defining Unlawful Religious Activities ("Opinions on IRA" 1996, 82) listed "propagating ethnic separatism" as one such "unlawful religious activity". Accordingly, Uyghur Islam as such was generally eyed with caution. Counter-measures sought to curb "instances of religion interfering with administration, justice, marriage, education, and birth control" and educationally highlight "the reactionary essence of [...] unlawful religious activities" (Wang, Lequan 1998, 74, 81; 1997b; see Clarke, M. 2007, 75-76).

To address these issues after Baren, in addition to the existing national-level regulations, the XUAR regional government adopted a new set of regional regulations for religious affairs (XRRA) in September 1990 (AI 1992; see Thamm 2008, 185-187), followed by amendments thereto in 1994 and 2001 (HRW 2005a, 31, full text translation at 84-93). In that period of analysis, these were followed by Document #7 (1996), the accompanying implementation guidelines ("Opinions on #7" 1996), the 1996 regional UFWD Opinions on Defining Unlawful Religious Activities ("Opinions on IRA" 1996), a corresponding work program adopted that year ("Work Program" 1996), a document regulating Islamic publications dated April 1996 that is not available from open sources (Dillon 2004, 85), more "Instructions" issued by Jiang Zemin in October 1998 (HRW 2005a, 32) as well as the June 2000 Manual for Urumqi Municipality Ethnic Religious Work (excerpts transl. in HRW 2005a, 106-110). The core measures taken by these documents and instructions to control XUAR Uyghur's Islam can be grouped into four areas: registration and surveillance of sites with closure of unregistered ones, training, vetting and oversight of personnel, control of content and limiting cross-border contacts.

Measures pertaining to religious sites included their registration with the Religious Affairs Bureau, limitation and control of the construction of new ones and prosecutions for maintaining and closure of underground *madrassas* as well as kung fu schools, all beginning in 1990 and pursued with renewed vigour in the 1996 "overhaul" and strike-hard campaign.<sup>767</sup> Tea parties (*meshripi*), a form of gathering for young men held according to local Islamic customs (Roberts 1998), were also prohibited for they were associated with counter-revolutionary activities (e.g. Jianabuer 1997, 23; see Millward 2004, 17). With respect to personnel, beyond the oversight exercised via the IAC in general (IV.7.2.1), in XUAR the CCP maintained oversight by UFWD and religious affairs departments (e.g. Wang, Lequan 1998, 88) to ensure the patriotic orientation of religious leaders through rigorous selection, training and monitoring.<sup>768</sup> Since at least 1991, all of XUAR's Muslim clerics have been trained at only one *madrassah* run by the IAC,<sup>769</sup> and their annual accreditation is subject to consistent participation in patriotic education

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<sup>767</sup> (e.g. "Document #7" 1996, 3; "Opinions on #7" 1996, 32; "Work Program" 1996; Zhou, S. 1997b, 67; see Clarke, M. 2007, 82; Davis, A. 1996c; Dillon 2004, 73; HRW 2005a, 65-67).

<sup>768</sup> (e.g. "Opinions on #7" 1996, 32, 34-35; 1994 XRRA in HRW 2005a, 84-93; Wang, Lequan 1998, 88-89; Zhang, Xiuming 1998, 76; Zhou, S. 1997b, 67-68; see e.g. Lai, H. 2006, 65).

<sup>769</sup> (Bovingdon 2010, 66; Chung 2006, 80; Fuller, G. and Lipman 2004, 333; Reed and Raschke 2010, 24; Shichor 2005, 128).

and maintenance of a good political dossier.<sup>770</sup> A systematic campaign to ensure compliance with the RRA was reported in March 1990 (Clarke, M. 2007, 79, 82) and purges of some 2,500 religious personnel in September 1991 (AI 1992, 1.3; Davis, A. 1996a, 421; Harris, C. 1993, 121). Many more were imprisoned, some executed, in the course of the 1996 strike-hard campaign and after the Yining riots in 1997 (e.g. AI 1997; Dillon 2004, 87-88; Lai, H. 2006, 64).

As stated above, the guiding decision-line as to what was permitted and what not was that between “normal” and “illegal religious activities” whereby “normal religious activities” were exemplarily defined by the XUAR UFWD and its Ethnic Religions Committee in 1996 as:

those conducted by religious personages and the religious masses in accordance with the country’s Constitution, laws, regulations, and policies, [...] within venues of religious activities or by individuals in their own homes according to religious customs, such as religious services, fasts, incense burning, Buddha worship, chanting scriptures, interpreting scriptures, praying, sermonizing, attending mass, baptisms, initiations into monkhood or nunhood, celebrating religious festivals, extreme unction, remembrances, and so forth. (“Opinions on IRA” 1996, 80)

By contrast, prohibited “illegal religious activities” under the Opinions (80-82) include a list of 23 categories so broadly construed that it can be said that almost everything that was not explicitly permitted under the notion of “normal” was already prohibited. In terms of content, the CCP already in that period pursued the depoliticisation of religion (Wayne 2009, 260). One tool thereof, next to said organisational oversight, was Amudong’s (1995, 16) instruction to “ban and confiscate unlawful religious publications and reactionary audio-visual products, and expunge all types of spiritual pollution” (see Wang, D. 1998, 7-8). Already in the 1990s, all Islamic publications had to undergo a detailed vetting process (Dillon 2004, 85; HRW 2005a, 40). Meanwhile, there was constant emphasis on the “correct” ideological education with respect to religion (e.g. Zhou, S. 1997b, 66). Finally, in line with the interpretation of the anti-Chinese sentiment cultivated in the course of illegal religious activities as instigated from abroad (see IV.3.2.1, e.g. “Document #7” 1996, 3; Wang, Lequan 1997b, 57-58), exchange with foreign Islamic institutions was limited and the circle and number of persons eligible for *hajj* restricted.<sup>771</sup>

Notably, while implementation of these policies was particularly strict in XUAR due to the fear that Uyghur Islam would be instrumentalised for ethno-separatist purposes (Fuller, G. and Lipman 2004, 330-331), the general thrust to seize greater control of religion and streamline its content into compatibility with CCP ideology was in line with the principles outlined for China as a whole in State Council Documents #19 (1982), #6 (1991) and #145 (1994) (cited in Lai, H. 2006, 59-63 and Potter, Pitman 2003, 320-321, 327-329; see IV.7.2.1). These measures’ consistency with general attempts at defusing religion’s threatening potential was matched by

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<sup>770</sup> (Bovingdon 2004a, 33-34; 2010, 66; HRW 2005a, 32; Reed and Raschke 2010, 23-24; see Korte 2016c).

<sup>771</sup> (e.g. “Opinions on #7” 1996, 34; Zhou, S. 1997b, 67; see Davis, A. 1996a, 421; Harris, C. 1993, 121; Rogers 2018, 504; Wellens 2009, 440-441).

constant reiterations of the need to do so in compliance with the law, or rather, “strengthen administration by law over religion” (Zhang, Xiuming 1998, 73).<sup>772</sup>

Again, two argumentative legitimacy-relevant patterns related to and partially resembling those seen with coercion emerge. To a certain extent, religion was already identified as a threat to *general interests* contained in ideology before either terrorism or religious extremism as an instrumental or self-standing national security threat came to be securitised and tackled. This co-motivated a range of regulations and restrictions to the point of its suppression alongside that of the threatening potential emanating from terrorism as such. Secondly, the measures themselves were justified both in their being aimed at safeguarding said interests as well as by legalistic references (Meyer, P. 2016a, 8). That, however, did not prevent far-reaching restrictions on XUAR Islam to also act as a cause of rather than antidote to unrest so that the two are typically understood to stand in a cyclical relationship.<sup>773</sup>

### **IV.7.3 Uyghur Islam in the era of Islamist terrorism (2001-2012)**

#### **IV.7.3.1 “Guiding religion to adapt to socialist society”<sup>774</sup>**

At a general level, the goal of “guiding religion to adapt to socialist society” became flagged out more explicitly in that period, written, for instance, into the 2001 amendments to the 1994 XRRRA (Art. 1, transl. in HRW 2005a, 84, 34), and considered a guiding principle of managing the state-religion relationship during the Hu-Wen Administration.<sup>775</sup> The threat considered to stem from religion in general emanates from a statement by Jiang Zemin in 2001, arguing that “we will never allow the use of religion to oppose the Party’s leadership and the socialist system or undermine the unification of the state and unity among various nationalities” (quoted in Clarke, M. 2010, 551, from Xinhua, 12 December 2001). Next to the suppression of potential threats, the concept of “guiding religion towards adapting to socialist society” as outlined by Hu in 2006 also contained pronouncedly more constructive components conducive to CCP legitimacy otherwise: novel aspects of “encourag[ing] religious circles to conduct interpretations of religious doctrine that conform to the requirements of social advance and that give play to the positive factors in religious doctrines” and of helping religious groups in realising their tasks of “uniting for progress, and serving society, and in making more contributions to national solidarity, economic development, social progress, social harmony, and unity of the motherland” (Hu, J. 2006, 42; see 2010, 72). Similarly, the 2016 White Paper on Freedom of Religious Belief (Section IV.) states that “clerical personnel must fulfill their civic obligations, and uphold national unification, ethnic unity and social stability” (see “Xinjiang White Paper” 2009, VI). These remarks speak of the imposition of positive duties on religion

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<sup>772</sup> (see e.g. “Document #7” 1996, 3; “Opinions on #7” 1996, 29-36; Wang, Lequan 1998, 82; Zhou, S. 1997b, 64).

<sup>773</sup> (e.g. Collins 2015; Fuller, G. and Lipman 2004, 344-345; HRW 2005a, 7-8; Roberts 2018; Smith Finley 2007, 633-634; 2018, 10-13; Tschantret 2018; Wang, Lixiong 2014).

<sup>774</sup> This subsection is partly based on Korte (2016a).

<sup>775</sup> (e.g. Hu, J. 2006, 41-42; see Klimeš 2018, 424-425; Meng, Y. 2018, 51; Xinhua 2014a).

rather than just tightening the scope for them to become a threat, a position that HRW (2005a, 26-27) dates to the National Conference on Religious work convened in December 2000. Meanwhile, the new national RRA ("RRA" 2004) increased the state's say in *xiehui*-internal affairs to a great degree via the oversight functions it assigns to the State Administration of Religious Affairs (SARA), which is under the State Council (Wellens 2009, 437-438).

#### **IV.7.3.2 Controlling XUAR Uyghur Islam**

XUAR's RRA had already been tightened in all of the four areas discussed at IV.7.2.2 (sites, personnel, content, foreign contacts) in July 2001 (HRW 2005a, 33-42, transl. full-text at 84-93), i.e. before 9/11 and the associated turn in the official Chinese threat narrative with its new emphasis on the global Jihadism (IV.3.3.2). One of the important components pointed out, for instance, by HRW (2005a, 34-37) was, as at the national level, that the protection of "normal religious activities" was made conditional upon their subservience to the CCP's cause, in particular by being patriotic and "guid[ing] citizen believers to participate in building socialist modernization" (Art. 28). A point that lends itself well to any argument concerning securitisation of religion is the fact that the amended RRA themselves now referred to state-security offences as a sanctioning mechanism for non-compliance with the rules set forth therein (HRW 2005a, 41; Kanat 2016, 205). Moreover, the focus on lawfulness – not only of the measures taken by the state, but the necessity for religious practices to in and of themselves be lawful – was explicitly taken up in the 2001 amendments (HRW 2005a, 35).

2001 and 2002 saw systematic political education campaigns for religious personnel with mandatory re-education courses with a political focus (AI 2002, 22; HRW 2005a, 49-53). Notably, neither the emphasis on ideological work nor the persecution of non-conformists, especially in the annual strike-hard campaigns with their different thematic focusses related to religion from 1996 (e.g. HRW 2005a, 55-56, 65-75), were originally tied to the Jihadist component to Uyghur Islam emphasised by Beijing in the post-9/11 threat narrative. It was emphasised more thereafter and persecution of illegal religious activities intensified in the already ongoing strike-hard campaign from October 2001 (AI 2002, 22-24). In line with an unnamed "high-ranking Xinjiang official's" statement in March 2002 that "Xinjiang independence elements have changed their combat tactics since the September 11 incident [...]. They have focused on attacking China on the ideological front instead of using their former frequent practice of engaging in violent terrorist operations" (quoted in HRW 2005a, 19 from China News Agency, 13 March 2002), attention turned towards content more than activities in subsequent years with an ever-lengthening list of prohibited content ("RRA" 2004, Art. 7; see AI 2002, 24-26; Clarke, M. 2010, 553-554). When it comes to specific Islamic practices that became more regulated and cracked down on in the 2001-2012 period, the specifically Islamist outlook in the altered threat narrative and the wholesale securitisation of Uyghur ethnicity and religion discussed at IV.3.3.3 (e.g. Rodríguez-Merino 2018), there were palpable changes on



the ground. These indicated a less tolerant stance towards Uyghur Islam by way of restricting practices that might generally be considered innocuous, with the unfortunate by-product of further alienating rather than integrating Uyghur Muslims (Kanat 2016, 202-206). According to several reports, since 2001, employees at public institutions, teachers and school children have been prohibited to worship and banned from or at least strongly encouraged to break their Ramadan fasting.<sup>776</sup> Daly (2007, 3) reports that imams have had to have their Friday sermons vetted by SARA. Hajj regulations were tightened further in 2007 with reports of passport confiscations to prevent Uyghurs from travelling out.<sup>777</sup> From 2011, there were bans on wearing long beards and veils in public.<sup>778</sup>

In general, the approach of steering Islam from within remained unchanged in the years after 9/11, yet with slight developments to instrumentalising religion for sustaining the CCP's ideology while contributing to its performance on the standards set forth therein. These aspects emanate in two different shades from statements Hu Jintao made in 2006 and 2010:

We must encourage religious circles to conduct interpretations of religious doctrine that conform to the requirements of social advance [...] and] in carrying forward the excellent traditions of loving their country and their religion, uniting for progress, and serving society, and in making more contributions to national solidarity, economic development, social progress, social harmony, and unity of the motherland. (Hu, J. 2006, 42)

We should actively guide religious quarters in the interpretation and preaching of the scriptures; regulate the content and form by which religious personages preach the scriptures; have the thinking about peace, unity, and patriotism in the Islamist teachings run through scripture interpretation, scripture preaching, and scripture studies; and resist and eliminate the influences of extremist religious thinking. (Hu, J. 2010, 71)

In the first statement, the points in which Hu counted religion's contribution are verbatim taken from the missions which the CCP had assigned itself under the Scientific Concept of Development and the Harmonious Society (IV.3.3.1). In the second statement, he takes that enlistment a step further. Not only does he establish the need for clergy to serve these goals, here specifically justified in reference to the prevention of extremism, but he reserves the lead interpretation to the CCP, establishing a clear ideological and organisational hierarchy. Doing so has permitted the CCP, also by means of religion, to (a) spread the normative framework which has continued to underpin its legitimacy as a framework for justifying *rightful authority* and defining *general interests* (II.5.3.3/II.5.7; Beetham 2013; Holbig 2006, 10-14; 2013, 62-65) and (b) enlist organisations with potent mobilising potential in the quest towards their attainment. That mobilising potential is significant because of the importance Beetham (2013) in theory assigns to the *mobilisation of performative consent in state-socialist systems*, which Holbig (2013) empirically substantiates for the Chinese case. Thereby, in the 2000s, the CCP

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<sup>776</sup> (e.g. Al 2002, 23; Fuller, G. and Lipman 2004, 337-338; Gan 2016a; Ma, H. and Chang 2014; Meng, A. 2014; Mudie 2006; Rogers 2018, 506; Rotar 2013).

<sup>777</sup> ("XUAR Regulations on Hajj Pilgrimages" 2007; see Clarke, M. 2010, 552; Mudie 2007).

<sup>778</sup> (AFP 2014b; CQCD 2011c, 1082; HRWF 2018; Stratfor 2018; Wright 2014).

began to turn XUAR Uyghur Islam from a generic risk of what Beetham calls *legitimacy deficit*, resulting from ideological challenge (extremism) and physical challenge (terrorism), and from a potentially risky organisational and doctrinal competitor (Lai, H. 2006, 58) into a legitimacy asset.

#### IV.7.4 The Xi-Li era: Sinicising (Uyghur) Islam (2012-2018)

##### IV.7.4.1 *Sinicisation of religion in general*<sup>779</sup>

At the most general level, CCP policy towards religion in the Xi-Li era, i.e. after the 18<sup>th</sup> Party Congress in 2012 and yet more explicitly after the 2016 Religious Work Conference, has sought to bring religion firmly under the CCP's purview to aid its ideological legitimisation. This was achieved via disseminating a CCP-ised – in the official language “sinicised” – version of religious doctrine and exploiting the five grand religions' organisational capacity to mobilise in favour of the party-state (e.g. Famularo 2018, 45-49). Through these means, governance and appropriation of religion have aided the legitimisation of CCP power in all three of Beetham's dimensions: *legal validity*, *normative validity* (here specifically that of performance standards) and, in the way uniquely characteristic of *state-socialist systems*, the *mobilisation of performative consent*.

Under Xi Jinping, the notion of “guiding religion to adapt to socialist society” has turned into an overt quest for sinicisation which he has articulated vocally on several occasions from 2014 onwards, for instance at XWF2 in May 2014, the 2016 Religious Work Conference and the 19<sup>th</sup> Party Congress in 2017.<sup>780</sup> That goal and the corresponding measures were outlined for the national level in a series of strategic papers (e.g. “Freedom of Religious Belief” 2016; 2018), regulations – most notably the 2017 RRA, which for the first time enshrined the term exact term as well as an obligation to preach Core Socialist Values in legislation (“Revised RRA” 2017, Art. 4; see Choy 2018, 13-14; Meng, Y. 2018, 22, 27, 33-34) – and instructions (Gan 2017b; classified Document #16 (2016) cited in Meng, Y. 2018, 51-52). The goal of “actively guiding religions in adapting to the socialist society” was exemplarily defined in a 2018 White Paper to

means guiding religious believers to love their country and compatriots, safeguard national unity, ethnic solidarity, be subordinate to and serve the overall interests of the nation and the Chinese people. It also means guiding religious groups to support the leadership of the CPC and the socialist system; uphold and follow the path of socialism with Chinese characteristics; develop religions in the Chinese context; embrace core socialist values; carry forward China's fine traditions; integrate religious teachings and rules with Chinese culture; abide by state laws and regulations, and accept state administration in accordance with the law. (“Freedom of Religious Belief” 2018, I)

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<sup>779</sup> This subsection is partly based on Korte (2016a).

<sup>780</sup> (Bowie and Gitter 2018; Gan 2018; Meng, Y. 2018, 51-54; Reuters 2018).

That excerpt once more points to the dual organisational and doctrinal authority the state recently imposed on religion, though it should be noted that it has been the CCP directly rather than the state that has seized that organisational and doctrinal control. Importantly, the paradigmatic separation of politics and religion that can also be found in these documents ("Freedom of Religious Belief" 2016, IV; 2018, I; "Revised RRA" 2017, Art. 5) only works as a "one-way road" via which the state reserves itself the right to influence religion (Klimeš 2018, 424, 430; see Famularo 2018, 45-48; Meng, Y. 2018, 40). The threat of foreign interference has still been cited as a motivator (e.g. CQCD 2011c, 1081; Gan 2016c; Klimeš 2018, 421) and the party's stance on religion within its own ranks has been as exclusionary and intolerant as ever, imposing re-education sessions, disciplinary sanctions in line with the new regulations on disciplinary action and ultimately exclusion.<sup>781</sup> Religions, on the other hand, are expected to basically preach CCP ideology and contribute to the CCP's legitimacy-building projects otherwise with comparatively more serious sanctions for non-compliance, reaching into the criminal justice realm.<sup>782</sup> As noted by Meng Yuanxin (2018, 54-56), the system of CCP oversight over religion enshrined in the 2017 RRA has been one of "ideology-driven comprehensive management and control", with the "comprehensive" part referring to the capacity enshrined in a holistic "control over personnel, assets, properties, and information" (see Cao, N. 2018). Regarding the institutionalisation of CCP influence on religion, a significant development was the transfer of SARA along with the Office for Overseas Chinese Affairs and the State Ethnic Affairs Commission from the state bureaucracy into the purview of the UFWD in 2018, formally rendering religious affairs a party matter.<sup>783</sup> Meanwhile, as seen to be usual by now, there are constant references to the importance of compliance with the law in any and all of the above-said matters (e.g. Choy 2018, 10-13; Meng, Y. 2018; Zhou, Z. 2017, 7).

While the sinicisation drive has affected all religions and religious organisations, Islam and the IAC have been affected disproportionately due to concerns over connections to XUAR terrorism (Famularo 2018). That point emerges also from the fact that Islam is the only one of the five official religions mentioned in the Freedom of Religious Belief White Paper (2018) in connection with religious extremism. In full compliance with their state-imposed duty – "opposing secession, and resisting religious extremism" ("Freedom of Religious Belief" 2018, IV) – the IAC's leaders have publicly rejected extremism since at least 2009 (Xinhua 2009c) but have recently all the more followed the CCP's lead to become complicit in Chinese Islam's doctrinal and organisational sinicisation, appropriating ideologically charged CCP jargon and committing themselves to "Muslim Patriotic Education."<sup>784</sup> As two cases in point, in May 2018,

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<sup>781</sup>(e.g. Campana 2015, 152; Gan 2016a; Mudie 2018; Shan 2018; Xinhua 2018b).

<sup>782</sup> (e.g. Cao, N. 2018, 2; Chen, Z. 2013; Choy 2018, 14-15; Famularo 2018, 45-48; Klimeš 2018, 426; Meng, Y. 2018, 26, 32).

<sup>783</sup> (e.g. Batke 2018; Bowie and Gitter 2018; Cao, N. 2018, 2; Groot 2018; Leibold 2018a; Zhou, X. 2018).

<sup>784</sup> (Bowie and Gitter 2018, quoting IAC head Yang Faming from Xinhua, 10 March 2018; Global Times 2017a).

the IAC launched the “Four Enters Campaign” which has been described to denote “the entrance of the Chinese flag, the Constitution and national laws and regulations, socialist core values, and excellent Chinese traditional culture into mosques” (Gitter et al. 2018; see Bowie and Gitter 2018), and in January 2019, committed itself to “a five-year plan to sinicize Islam” (Li, Qingqing 2019).

A valuable concept in this context is Klimeš’ (2018, 415) “ideational governance”. It denotes a comprehensive set of techniques deployed by the CCP “to define and regulate Uyghur values, beliefs, and loyalties so that they are instrumental in maintaining the regime’s political security”, including through “ideational, propagandistic, and cultural work’ (*sixiang xuanchuan wenhua gongzuo*) or ‘thought-work’ (*sixiang gongzuo*)”. He applies it only to the XUAR context but beyond religion includes policies and measures in the fields of propaganda, education and legislation. Yet, I find the entire concept a good fit the context of governance of religion in China in general, given the Xi-Li administration’s managerial and instrumentalising interpretation of “guiding religion to adapt to socialist society”. Klimeš (2018, 421-425) raises the instrumental argument primarily in the context of propaganda but by virtue of religion’s institutional governance and the propagandistic and mobilising functions enforced thereby, its assets in inculcating Uyghurs with core ideological components are the same. This normative indoctrination is both with Klimeš and with Beetham, because of the norm-based nature of legitimacy (II.5.3: Beetham 2013, chapt. 3), in several ways significant to legitimacy’s (re)production, the elimination of ideational threats based on the securitisation of extremism and finally, a point Klimeš does not make, the mobilisation of what Beetham calls *performative consent*.

#### **IV.7.4.2 XUAR Uyghur Islam: steered, sinicised, coerced**

In extrapolation of previous measures of steering and control, motivated by concerns for Uyghur Islam to serve as an organisational and ideological springboard for terrorism, the larger drive to sinicise religion and the specific concerns as to the threatening potential of Islamic religious extremism to what Klimeš (2018) has translated as “ideological security” have rendered Uyghur Islam a systematic target of the sinicisation effort. A statement emblematic of that approach was made by Xi Jinping (quoted in Xinhua 2014a) in May 2014, when he advocated a “focus on fostering a team of patriotic clergy and boosting the general quality of people in the religious circle so as to ensure that the leadership of religious organizations is firmly in the hands of people who love the country as well as religion” (see Xi 2014d, 224). The approach is systematic in that, on the one hand, a comprehensive set of measures was implemented that included non-coercive ones such as religious education and general propaganda as well as coercive ones targeting behaviour in non-compliance with the components advocated in the former. On the other hand, a comprehensive system of social monitoring and surveillance was set up that has interlocked the two components. It has thereby

perfected what Beetham (2013) and Holbig (2013) refer to as the *state-socialist* and ideology-dependent characteristic of combining the *demobilisation of dissent* with the positive *mobilisation of performative consent*. This subsection only discusses some of the propagandistic and coercive components with respect to religion; the general role of propaganda is discussed at IV.8 and the bridge between these components built by the massive expansion of XUAR's surveillance apparatus and a number of campaigns that have truly combined demobilisation and mobilisation at IV.9.

As far as the sinicisation of Uyghur Islamic doctrine is concerned, old mechanisms of control as well as new ones established by the 2017 RRA continue to do their part (e.g. Friedrichs 2017, 65-66). XUAR's clergy are explicitly enlisted in the so-called "deradicalisation" effort through local measures (Zhou, Z. 2017, 6). XUAR's Uyghur Islam has long been exposed to aggressive "modernisation" propaganda (e.g. Klimeš 2018, 429; Terrone 2016), but the marked intensification begun around 2010, when Zhang Chunxian advanced calls for "modern culture" and "modern lifestyle" (quoted in Leibold and Grose 2016, 89) and all the more since 2014 with XWF2's emphasis on the suppression of extremism (e.g. Klimeš 2018, 420-421, 430-432; Tanner and Bellacqua 2016, 51-52). Here, the notion of "modern" has consistently been likened to characteristics of the Han *Leitkultur* and contrasted with both foreign – sometimes Western, in the XUAR-case more Arab – and "feudal" or "backward" religious customs.<sup>785</sup> Again, the quest for modernity ties in with the CCP's continued self-portrayal as a modernising agent contained inter alia in the Scientific Concept of Development (IV.3.3.1, e.g. Holbig 2015, 136-137). It has also been logically justified in Marxist fashion (Leibold and Grose 2016, 92; Terrone 2016, 43) and intersects with the CCP's regular propaganda both in means and content, though in XUAR (and also Tibet) the two are much more pronounced than elsewhere (see IV.8, e.g. Klimeš 2018; Terrone 2016). Propaganda brochures, for instance, contrast appropriate with extremist activities and attire (Cao, S. 2014). A strong example for cultural-religious propaganda was "Project Beauty", a PR campaign between 2011 and 2015 suited with an 80 million budget earmarked for web-marketing, video and radio broadcasts, fashion shows and beauty contests that sought to get Uyghur women to voluntarily stop wearing a *hijab* and instead show their ethno-religious affiliation by CCP-interpreted and approved "traditional" garb such as braids or *ätläs* dresses.<sup>786</sup> The project is cited as an example of the CCP's tendency to seize for itself the right to decide what is and what is not "traditional" and "normal" and interpret Uyghur culture in such a way that all that appears to be left is an "engineer[ed] [...] 'permitted difference'" (Byler 2017, 6, quoting Schein 2000), a

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<sup>785</sup> (Dynon 2014; Leibold and Grose 2016; Roberts 2016, 37, 39; Terrone 2016).

<sup>786</sup> (AFP 2013; Byler and Grose 2018; Clarke, M. 2015, 129-130; Dynon 2014; Ghosh 2013; Leibold and Grose 2016, 89-91; Xinjiang Ribao 2013; Zhou, Z. 2017, 13).

difference that does not stand in the way of the larger secularisation and sinicisation effort, again fully tying in with the dialectic materialist logic.<sup>787</sup>

Where propaganda has sought to advance the ideal-type modern sinicised version of Uyghur Islam, laws and regulations prohibiting anything that does not conform to the former have done their part to deal away with the ideally voluntary nature of that process. Whereas in the previous two periods, regulative state activity focused on Islam as an institution, its appearance in public space and on communal practice, regulating mosque registration, activities and content, the more recent regulations have focused specifically on the Muslim individual and his or her expression of ethno-religious identity (Byler 2017). In that vein, bans on veils, beards, stars and crescents already existing from 2011 (IV.7.3.2, e.g. AFP 2014b; CQCD 2011c, 1082) were expanded and clarified, for instance in confidential CCP Documents #11 (2013) and #28 (2014) (cited in HRWF 2018 and Zhou, Z. 2017, 5), the new regional RRA passed by XUAR's People's Congress in November 2014<sup>788</sup> as well as a range of other local prohibitions.<sup>789</sup> These also further sanctioned the pursuit of other illegal religious activities and the unauthorised publication of religious materials, both of which have been pursued strictly in the subsequently permanent strike-hard effort.<sup>790</sup> As stated (IV.5.4), many of these bans and regulations were later systematised in the XUAR Implementing Measures for the National Counter-Terrorism Law, the De-Extremification Regulations and their respective revisions through 2018.<sup>791</sup> Further regulations imposed in 2017 officially regimented Ramadan fasting, which had long been a matter of restrictions,<sup>792</sup> and the prohibition of 15 Islamic names for children, where the associated sanction entails the refusal of registration and, as a result, of medical care and education (Klimeš 2018, 429; Lipes 2017a). Again, this has turned a private, mostly religious, decision into a political act which then affords the concerned persons punitive or correctional treatment that is justified in reference to national security and coincidentally makes the subject more Chinese.<sup>793</sup> The larger combined propagandistic and repressive approach towards religion in XUAR has conveniently reconciled these two goals by systematic means of "ideational governance."<sup>794</sup> And in as far as measures have been grounded in a sheer-endless avalanche of laws and regulations and both in their justification and implementation referred to as lawful and compliant with the law (e.g. "Xinjiang White Paper" 2015, VII; "Human Rights in Xinjiang" 2017, VII; "TEHR White Paper" 2019), what Michael Clarke (2017a), quoting

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<sup>787</sup> (Byler 2017; Byler and Grose 2018; Leibold and Grose 2016; Klimeš 2018; Levin 2014).

<sup>788</sup> (cited in Cui, J. 2014; Gerin 2014; HRW 2018b, 18-19; Klimeš 2018, 426; Stratfor 2014g).

<sup>789</sup> (AFP 2014b; Cui, J. 2015; HRWF 2018; Kam 2015, 59; Leibold and Grose 2016, 92-96; Levin 2014; Meyer, P. 2016a, 8-9; Zhou, Z. 2017, 7-8).

<sup>790</sup> (Denyer 2014; Rajagopalan 2014a; Mudie 2014b; Ng 2014a; Stratfor 2014e; 2014k; Xinhua 2015c; "Xinjiang Notice" 2014; Zhun 2014; see IV.6.4).

<sup>791</sup> (e.g. Byler and Grose 2018; Cui, J. 2014; Famularo 2018, 49-50, 68-69; HRW 2018b, 18-20, 71-74; Klimeš 2018, 427; Shepherd and Blanchard 2017; Zhou, Z. 2018, 90-93).

<sup>792</sup> (e.g. Finney 2016; Gan 2016a; Gerin 2016a; Klimeš 2018, 429; Lipes 2017b; Xinhua 2015c).

<sup>793</sup> (Byler and Grose 2018; Klimeš 2018; Leibold and Grose 2016; Meyer, P. 2016a; Roberts 2018; Smith-Finley 2018).

<sup>794</sup> (Klimeš 2018; see *ibid*)

Castets (2015), calls the “juridification of religious activities” has once more tied in with Xi’s larger quest to govern the country in accordance with the law.<sup>795</sup>

#### IV.7.5 Summary of governance of religions

Governance of XUAR Uyghur Islam in the last period of analysis (2012-2018) truly developed into a systematic effort of leveraging and using the CCP’s control over religious doctrine and organisational functions to not only eliminate direct ideational and indirect physical threats perceived to emanate from it (Korte 2016c) but make a positive contribution to the CCP’s legitimation of power otherwise (Famularo 2018, 45-49; Meng, Y. 2018, 54-56). Organisationally, the final construction step was SARA’s subjection to the UFWD in 2018 (IV.7.4.1, e.g. Leibold 2018a). Ideologically, it was the inclusion of the goal of “guiding religion to adapt to socialist society” and of religions’ obligation to preach the Core Socialist Values in Art. 4 of the 2017 national RRA (e.g. Choy 2018, 13-14; Famularo 2018, 52-53). That process gradually dismantled the ideological and organisational challenge that had long been perceived to emanate from religion per se (IV.7.2.1, e.g. Zhang, Xiuming 1998, 74; see Lai, H. 2006, 58). It was initially driven by a desire to avert a threat, both at the national general ideological level and at the regional level, but over time turned into a positive contribution to various other legitimacy-related processes.<sup>796</sup> Indeed, the idea of sinicising religion had been floated by Jiang Zemin and its positive legitimating potential recognised at least since the Hu-Wen administration (IV.7.3.1, e.g. Hu, J. 2006, 41-42; see e.g. Klimeš 2018, 424-425).

These trends in XUAR are, on the one hand, consistent with the CCP’s general requisitioning of religion as a legitimacy asset at the national level (e.g. Famularo 2018, 45-49) and also with the focus on ideology and propaganda since the 18<sup>th</sup> CCP Congress in 2012 (IV.8.5.1, e.g. Lam 2016; Noesselt 2016, 37-41). On the other hand, because of the salience of the TSE threat in XUAR, the region has been a microcosm under the burning glass where the strictness of religious rules and their application is justified precisely thereby. That was the case in the 1990s when the primary concern was that of religion’s role as a staging ground for separatism (ideologically and organizationally; IV.7.2.2, e.g. Wang, Lequan 1997a, 37, 40), in the 2000s when the seizure of doctrinal control can be related to terrorists’ perceived switch of tactics (IV.7.3.2, see e.g. AI 2002, 24-26; HRW 2005a, 19) and also in the last decade with the stylisation of religious extremism into a self-standing state security threat (IV.7.4.2, e.g. Roberts 2018). What Klimeš (2018) calls *ideational governance* of religion in XUAR is still special. For one thing, in the extent of religious propaganda to which Uyghur Muslims are exposed (e.g. Terrone 2016). For another, in how this is coupled with sanctions of non-compliance to construct a system in which the CCP has seized the right to interpret what it means to be a Uyghur Muslim in such a way that it is conducive to the larger nation-building

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<sup>795</sup> (see e.g. Klimeš 2018, 425-428, 434; Meyer, P. 2016a, 8-9; Zhou, Z. 2017, 7).

<sup>796</sup> This point was first raised in Korte (2015; 2016a).

effort (IV.7.4.2, e.g. Byler 2017) and forcibly implement that interpretation in a process which Zenz (2018c, 23) describes as a “social reengineering” (see IV.9).

As for my interest in legitimacy and its relation to counter-terrorism policy, there are two observations. One is that while the CCP’s congruity with the system facilitates the consistent implementation of religious governance, when it comes to XUAR, that capacity itself was largely leveraged in the course of countering TSE. Capacity can thus not be considered an independent enabling factor. The other is that countering TSE-justified governance of religion has, in turn, been conducive to at least four types of positive effects on the legitimisation of power above and beyond that which may stem from tackling terrorism as a threat to what Beetham identifies as *generic general interests* (security) and the “ideological security” threat religious extremism poses (Klimeš 2018). First, it has permitted for the propagation of ideological norms and values generally conducive to defining governance goals and interpreting performance on them (II.5.3.3/5.7: Beetham 2013; Holbig 2006, 10-14; 2013, 62-65), in line with Klimeš (2018, 415) outline of the functions of *ideational governance*. Secondly, exploitation of religion’s organisational mobilising potential in a situation where Holbig (2013) substantiates the continued necessity to *mobilise performative consent* for the party-state. Third, in as far as sinicisation of religion is actually attained, it will help progress on the ideologically defined goal of national unification and the goal of “spiritual civilisation construction” under the Four Comprehensives (IV.3.4.3 Brown and Berzina-Cerenkova 2018, 335-337); and if religions really do contribute to economic development and the other ambitious contributions set out by Hu Jintao in 2006 (42), the legitimacy that can be gained from that, too. Finally, and this may be minor, but it ties in with the bigger picture of the CCP’s quest to “rule the country according to law” (IV.7.4.1, e.g. Klimeš 2018, 425-428, 434), the governmental narrative has already in the 1990s (IV.7.2.2, e.g. Zhang, Xiuming 1998, 73; see Meyer, P. 2016a, 8) and the respective regulations since 2001 (e.g. XRRRA amendments in 2001, IV.7.3.2, e.g. HRW 2005a, 35; or “Revised RRA” 2017, Art. 4) referred to the need to conduct religious activities “according to law”, supervise them “according to law” and sanction deviations therefrom “according to law”, a trend which Meng Yuanxin (2018) refers to as the “legalification”.

## **IV.8 Communicative counter-terrorism**

### **IV.8.1 Overview**

Although the stylisation of religious extremism into an ideological national security threat in its own right in the 2010s was relatively recent, the CCP already showed an understanding of the communicative nature of the TSE threat and applied corresponding measures in the communicative realm to uphold its discursive dominance in the preceding two decades (Korte 2018a). In general, ideology as a legitimacy resource features heavily in those efforts. That is on the one hand, as a motivator under threat. On the other hand, with Beetham (2013, e.g.



157, 179-190; see II.5.3.5/5.8), it is a factor that shapes the institutional pattern of a system in which the governing party enjoys high discursive power which is in turn conducive to the implementation of communicative counter-terrorism efforts. In terms of strategic breadth and development, the system has always contained components of actor-centric prevention through scholastic and propagandistic education as well as target-centric components of denying attention, but both have broadened successively and acquired an explicitly mobilising character in the last period (2012-2018). In terms of structure, this section presents that development along the major national leadership transitions: from 1990 until the transition from the Third (Jiang Zemin + x) to the Fourth Leadership Generation (Hu-Wen) in 2002 (IV.8.2), under the Fourth Generation (IV.8.4) and under the Fifth Generation with Xi Jinping at its centre since 2012 (IV.8.4). The reason is that, particularly in the case of the last, this went hand in hand with a recalibration of the contents of ideology, its meaning to CCP governance and legitimation in general and the means of its dissemination or what Beetham (2013, 182) would call its “reproduction”. These have in turn at least paralleled – to what extent that is causal or coincidental is an unresolved question – developments in communicative counter-terrorism.

#### **IV.8.2 Jiang Zemin and the Third Leadership generation (1990-2002)**

##### **IV.8.2.1 *Diagnosis and content of communicative counter-terrorism***

Already in the 1990s, Chinese politicians emphasised the communicative component of the TSE threat and advocated corresponding counter-measures. The logic connecting these is illustrated well along the following excerpt from a speech by Zhang Xiuming in 1998:

Regarding the Struggle in the Ideological Domain:

[...] Ethnic separatism has been mounting increasingly powerful public opinion offensives in recent years. [...] These reactionary audiovisual products, books, and publications are utterly absurd as far as content is concerned and are out-and-out rubbish, but they are quite capable of deceiving ordinary people who are ignorant of the facts. [...] they use reactionary propaganda to poison the [minds of the] broad masses and delude young people and children. [...] We must use correct public opinion to firmly occupy ideological and cultural positions and resolutely resist infiltration by all reactionary thinking and religion. We must enhance education for young people and adolescents and help them set up a correct world outlook and outlook on life. (Zhang, Xiuming 1998, 75)

While there are a plethora of analytically interesting aspects the excerpt – pure ideological propaganda – could be mined for, two are emblematic for the relationship between threat diagnosis, counter-measures and legitimacy in the communicative realm of counter-terrorism: consideration of the ideological realm as an important dimension of the threat in its own right and the diagnostic point that at the heart of the population’s corruptibility lies a lack of knowledge which the CCP can, per its superior knowledge, compensate through education. Concerning the ideological threat, the extract indicates that unlike religion, understood as an ideological conveyor and organisational staging ground for foreign intervention and separatism

and thus only an instrument, at least in the 1990s (IV.3.2/7.2, e.g. Fu, H. 2012, 344-345), the threat emanating from ethnic separatism is portrayed as more direct. It particularly struck a nerve with the CCP because of the already problematic notion of an all-Chinese nationalism and the CCP's claim to be representing the entire nation or at least lead its constituent parts into the formation of the former (IV.3.2.1, e.g. Leibold 2016, 234-235). Generally, issues of ethnic and religious consciousness were placed within the context of a class-struggle which the CCP dominated by virtue of the scientific knowledge that justifies and authorises the party's leadership in Marxist-Leninist ideology (see IV.3.2). Then, references to lack of knowledge on the part of the population – “uninformed persons” (Aisihaiti 1997, 31-32), “deceived and duped” (Wang Lequan 1997b, 62, 67; see “Impunity” 2002, IV; Wang, Lequan 1997a, 37, 43) – as well as the benevolent party's capacity to solve the issue by educating and leading them to learn the “correct” version of things is a replica of the then contemporaneous Marxist-Leninist development mission at the issue-specific level. Politicians and documents in that period emphasised the importance of scholastic education (e.g. “Work Program” 1996, 87-88; Zhou, S. 1997b, 68; see Dillon 2004, 103-104) as well as ideological education in “Marxism, Mao Zedong thought, and Deng Xiaoping theory” (Zhou, S. 1997b, 66; see Wang, Lequan 1998, 88-89). The issue-specific type of education or propagation of a “correct view” concerned XUAR's history and themes of ethnic unity and patriotism.<sup>797</sup> As stated at IV.3.2.1, at the time, the nationality question was a conundrum epitomised by the Constitution's oxymoronic claim that “the People's Republic of China is a unitary multi-national state built up jointly by the people of all its nationalities” (“PRC Constitution” 1982, Preamble; see Qiu 2016). The principle means to whitewash that problem in XUAR were to flush the region with what Brady (2012a) calls “positive propaganda” and cast the frictions that existed as natural parts of the struggle for national unification and modernisation. That stance, with respect to both diagnosis and solution, emerges, for instance, from the XUAR CCP's 1996 Opinions on Document #7:

Many of the ethnic and religious issues currently present in society are contradictions within the people and should be promptly resolved and dealt with by such means as persuasion, education negotiation, and guidance. (“Opinions on #7” 1996, 30-31)

Last but not least, the emphasis on education as a means and on the family-like nature of the ethnic/national groups' relationship in the state – a metaphor that Dwyer (2005, 53) and Brady (2012a) make out to have been prominent in the narrative on ethnic matters since the 1990s – are also consistent with Confucianism's paternalistic view of the state and its popular majorities vis-à-vis minorities (IV.10, e.g. He, B. 2004). In that vein, “positive propaganda” centred on Xinjiang's success story in terms of development, its indispensability to China

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<sup>797</sup> (e.g. “Document #7” 1996, 3-4; Jiang (1990) 2012, 22, 24; “Opinions on #7” (1996) 2010, 23, 29-32, 36-40; Wang, Lequan 1998, 81, 88-89; Zhou, S. 1997b, 66). For an account of the contest over historiography between Uyghurs and the government in the 1990s and the latter's initiatives in propaganda and the education sector, see Bovingdon and Tursun (2004, 366-374) or, across time, Bovingdon (2010, 23-31).

proper and emphasis on how wonderful and peaceful everything is (e.g. Aisihaiti 1997, 34; "Document #7" 1996, 4; see Brady 2012a).

Such narratives can, to all extents and purposes, be described as counter-narratives that are both actor- and target-centric in that they address those potentially ideologically defective (Uyghurs) and those who are part of the potentially defective constituency (the population at large; II.3.6). Particularly Zhang Xiuming's (1998, 75) recognition of the salience of "increasingly powerful public opinion offensives" in "our struggles with the ethnic separatists in terms of contending for public-opinion positions" – "a struggle in the ideological domain" – is reminiscent of what Perliger (2012, 507-508) refers to as the "struggle over symbolic power" that terrorism and counter-terrorism are a part of (see Heath-Kelly 2015). Meanwhile, in the Chinese case, that struggle is more about a direct contest between competing ideologies than about the symbolic contestation of order embodied and effectuated by physical acts of terrorism (II.2.3/3.6, e.g. Crelinsten and Schmid 1992, 322-330), at least not in the way elaborated here (Wayne 2009, 258-260).

#### **IV.8.2.2 Governmental discursive power facilitates structural implementation**

When it came to implementing said propaganda and education content, there were four main avenues: the education system in its literal sense, education in the form of campaigns, censorship and control of the media and targeted propaganda, although the latter is a cross-cutting rather than distinct area. As far as the education system was concerned, in 1996 curricula in XUAR were changed to accommodate more teaching on Xinjiang's history, Marxism's views on ethnicity and Deng Xiaoping's theory of building China-style socialism; CCP supervision of teachers, teaching materials and students was tightened; the month of May has since 1983 been declared the month of "national solidarity education" and the decision was made to establish "cultural corridors" through extending cultural facilities such as libraries but also the broadcasting network to reach 80% of Xinjiang's population ("Opinions on #7" 1996, 29, 36-40).<sup>798</sup> In 1997 and 1998, there were two province-wide rectification campaigns with provincial-level cadres deployed into lower-ranking units (counties, villages) to educate "the masses" not only but also on ethnic policy and the threats of TSE.<sup>799</sup>

As for the media, it must be acknowledged that the degree of what I follow Jungherr et al. (2019) in operationalising as *political parallelism* in China has remained high while the *regulatory environment* has been successively tightened rather than loosened. State-owned mass media have traditionally served as a mouthpiece for propagating CCP ideology and, though somewhat less effective than in the Mao era, the CCP's grip on the media has remained high throughout: The marketisation and commercialisation of the post-Mao era have not freed

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<sup>798</sup> (see Dillon 2004, 103; Tong 2010a, 5-6; "Xinjiang White Paper" 2015, II).

<sup>799</sup> ("Implementation Plan" 1997; Wang, Lequan 1998; "Work Program" 1996; Zhang, Xiuming 1998; Zhou, S. 1997b, 61-62; see Becquelin 2000, 88; Dillon 2004, 103-105; Tong 2010b, 7-8).

Chinese media, but an intricate system of ownership, appointment procedures, regulations and guidelines have kept in place a system of propaganda, censorship and self-censorship that is until this day especially strong on subjects with counter-regime mobilising potential such as religious and ethnic matters.<sup>800</sup> The CCP Central Propaganda Department (CCPPD), the UFDW and the State Ethnic Affairs Commission jointly determine propaganda policies and issue guidelines that are implemented by propaganda cadres placed by the CCP nomenklatura system in all organisations of social, political and economic life; managers of important media outlets such as *CCTV*, *People's Daily* or *Xinhua* are directly selected by the Central Organisation and Propaganda Departments, and publications in minority languages have to be vetted by the State Administration of Radio Film and Television and the General Administration of Press and Publishing.<sup>801</sup> Propaganda guidelines are issued in the form of propaganda circulars that contain specific instructions on how to present certain topics, what to publish and what not to (Brady 2009, 445-446; 2012a, 164-165; Esarey 2006, 3-5). Renewal of press passes is subject to regular attendance of extensive training sessions on CCP doctrine, its guiding role for the media and according legislation (Brady 2009, 446-447; Esarey 2006, 4). Next to personal career advancement in the nomenklatura system and financial benefits as incentives for self-censorship, the threat of licence withdrawal or criminal liability imposed under the 1997 PRC Criminal Code are additional mechanisms that keep the media in check.<sup>802</sup>

The reach and depth of the CCP's propaganda system are so extensive that Brady (2012a, 161) refers to it as "a system of governance", in line with Klimeš' (2018) emphasis on the propaganda and education component in the system of *ideational governance*. The "governance" terminology also brings out the shift in persuasive mode from coercion to omnipresent and more or less subtle ideological flooding that still permits for transmitting ideology as a system of meaning that describes and prescribes reality and thus remains suited to the party's norm-based legitimation by declaring and defining focal referents for performance evaluation.<sup>803</sup> Yet nobody would any longer liken either its goals or effects to those of the large-scale indoctrination and mass mobilisation effectuated by propaganda and campaigns in the Mao years (Brady 2009; 2012a; Holbig 2013). Nonetheless, at least in XUAR and as far as issues of TSE were concerned, political interests have been pushed through with the utmost vigour. For instance, Wang Lequan (quoted in HRW 2001) reminded journalists in January 2001 "that 'our media absolutely does not allow any noise that counteracts the party's voice' and that 'journalists should remember the principle of news reports serving the party and socialism'". Matters of ethnic and religious policy were generally declared state secrets by the

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<sup>800</sup> (e.g. Brady 2009; 2012a; Esarey 2006, 3-5; Luqiu and Yang 2018; Shambaugh 2008, 106-111; Stockmann and Gallagher 2011, 440-442).

<sup>801</sup> (Brady 2009, 445-446; 2012a; Esarey 2006, 3; Lawrence and Martin 2013, 24, 34).

<sup>802</sup> (Brady 2009, 445-447; 2012a, 167-169; Esarey 2006, 6-11; Shambaugh 2008, 109-110).

<sup>803</sup> (Brady 2009; 2012a, 161; Holbig 2013; Holbig and Gilley 2010, 396; Terrone 2016, 52-54, citing Ji 2004).

October 1995 Regulations on State Secrets and Specific Classification of Religion Work and the March 1995 Regulations on the Specific Scope of State Secrets and Classification of Ethnic Work (HRW 2005a, 30-31, full-text translation at 101-105).

#### **IV.8.2.3 *Interim conclusions (1990-2002)***

In the 1990-2002 period, communicative counter-terrorism was based on an understanding of XUAR separatism as an ideological threat to the already fragile and problematic notion of the state-nation (IV.3.2.1, e.g. Zhao, S. 2005, 154-155), targeting potential actors as well as the larger Chinese public. As far as potential actors were concerned, the principle means was to flood the area with counter-narratives of ethnic unity via the education and propaganda systems (IV.8.3.1). This lacked – and has continued to lack in subsequent decades – any element of interactive discussion of content as typically proposed by (counter-)radicalisation scholars (II.3.6.3, e.g. Schmid 2013; see here Korte 2016c). It has nonetheless been reminiscent of what Perliger (2012, 507-508) refers to as the “struggle over symbolic power”. Tying in with the observation of that “struggle” is the target-centric component which mostly consisted of denial of attention via censorship imposed via law (e.g. HRW 2005a, 30-31) and the propaganda system. Despite thus forming part of a type of such “struggle over symbolic power”, this was less in the sense typically envisaged by scholars attentive to the symbolic dimension of terrorism and the instrumental climate of fear (II.2.3/3.6, e.g. Silke 2010). Rather, it was exclusively centred on the threat emanating from the underlying ideologies (Korte 2018a). Actually, this is largely consistent with the arguments advanced by Heath-Kelly (2015) which I had dismissed as too constructivist because of her agnosticism to the physical dimension of terrorism at II.3.6.1. As far as the question to what extent legitimacy (re)sources condition communicative counter-terrorism is concerned, in the 1990s, the general discursive power the CCP wielded via its control over the education and media system but also via the general propaganda apparatus was highly conducive to implementing any and all of the described communicative measures as I had proposed at II.5.8.3 (Korte 2016c).

#### **IV.8.3 *The Hu-Wen era (2002-2012)***

##### **IV.8.3.1 *More propaganda and communication management***

Above, I pointed out how in the 2000s with the salience of the themes of Harmonious Society and Scientific Outlook on Development in the CCP’s ideological legitimisation narrative, TSE emanating from XUAR challenged both generic *general interests* in the sense of Beetham (*security, welfare*) and those identified as core components in the ideological legitimisation narrative at the time: national unity, social stability, harmony and development (IV.3.3.1, e.g. Holbig 2013, 69-70; see e.g. “Defence White Paper” 2002, VI or 2006, II). The response to this threat to the core legitimating concepts in terms of communicative counter-terrorism, in turn, continued along the established path. It combined what Brady calls “positive propaganda” in general with more assertive propaganda targeting Uyghurs, censorship of certain issues but

also – newly – some of what she classifies as “negative propaganda”. The necessity of conducting such outreach was communicated openly, for instance, by the MPS Counter-Terrorism Bureau’s director Li Wei (2004, 338-339) who argued that awareness of TSE had been raised through “publicity and education” (see Xiong 2004).

As far as “positive propaganda” in general is concerned, news media (Luqiu and Yang 2018, 608-609, 613-614) and government White Papers – true to their generic propaganda purpose (Brady 2012a, 171) – all paint a picture of an ideal-type ethnic situation. For example, the one on Regional Ethnic Autonomy (“Autonomy White Paper” 2005) lauds the development accomplishments Xinjiang has made since its integration into the PRC, portraying the “struggles against separatist plots to bring about ‘independence’” as a thing of the past, crowned by the result that “the Chinese people of all ethnic groups keenly realized that the great motherland is the common homeland of them all” (see “Ethnic Policy White Paper” 2009). The same goes for the Xinjiang White Paper released months after the Urumqi riots in 2009 which is yet more empurpled. These White Papers, like “Impunity” (2002), also present an outline of the official Chinese version of XUAR’s history, where the core message is that XUAR has always been part of China and developed tremendously under CCP leadership (see Zhang, Xiaoling et al. 2018, 785). Regarding propaganda targeted at specific groups, next to the religion-related propaganda discussed at IV.7, politicians have on countless occasions reiterated their calls for education in the CCP’s ethnic theory and policies and patriotism (e.g. Hu, J. 2006, 41; 2010, 68-70). Prominent propaganda themes in this phase were the “three inseparables”, referring to the relationships between the Han and minority groups and the latter among themselves,<sup>804</sup> and the “four identities refer[ring] to ‘identification with the motherland, the Chinese nation’s identity, the identity of the Chinese culture, and the road of socialism with Chinese characteristics.’”<sup>805</sup> For the education system, the Ethnic Unity Education Ordinance issued in 2009 describes in great detail more of that type of content as well as the structural avenues of their dissemination.

Calls for a positive contribution through propaganda have been matched by calls to curb the spread of perceived to be dangerous ideologies via so-called “illegal publications” online (Hu, J. 2010, 69). As mentioned at IV.6.3, one of the government’s reactions to the July 2009 Urumqi riots was to impose a communications lockdown whereby from 6 July, internet, SMS and phone communications were cut off and only gradually reinstated between January and May 2010 to “prevent violence from spreading to other places” (Urumqi CCP Secretary Li Zhi quoted in Xinhua 2009b; AI 2010, 16).<sup>806</sup> A similar management pattern could be observed in

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<sup>804</sup> (e.g. “Ethnic Policy White Paper 2009, 231; “Xinjiang White Paper” 2009, V; similarly already “Opinions on #7” 1996, 29; see Dynon 2014; Klimeš 2018, 423-424; Wang, Q. 2016, 159).

<sup>805</sup> (Dynon 2014 quoting the Xinjiang Education Department; see “Ethnic Unity Education Ordinance” 2009, Art. 23(5); Leibold 2014b; 2014a).

<sup>806</sup>(see CQCD 2009b, 239; 2010a, 516; 2010b, 783; HRW 2009b, 15-16; Hu, Y. et al. 2009; Roberts 2018, 243; UHRP 2010, 15-20; Xinhua 2014m).

the wake of escalations in Tibet in 2008 (Blank 2008b) or the China-wide targeted blackout of CNN broadcasts following CNN's coverage of the attack in Tiananmen Square in October 2013 (Jiang, S. and Hunt 2013). This measure fits my model of communicative counter-terrorism in both the actor- and target-centric senses: It prevented the formation of a climate of open contestation as a result of either the challenges communicated by protestors or the shock of inter-ethnic violence or in response to the government's handling of the crisis; it also inhibited further escalation by blocking communication between (potential) actors. Yet this measure also supersedes the limited scope of news embargoes or issue-specific media censorship envisaged, for instance, by Browne and Silke (2010, 105-107) or Wilkinson (2011, 159-161) and is closer to the expectations contained in the Paradigm (II.5.8.3, e.g. Ucko 2015). And while it would be futile to argue that that response was facilitated by anything other than the CCP's substantive discursive power, it should be noted that the CCP's larger careful handling of public discourse as a space of legitimation does indicate that the lockdown was, while conditioned by capacity, caused by awareness of and capability at handling the intricacies of public discourse that may be unique to a regime whose legitimation on power relies on the framing power of ideology. Meanwhile, the reinstatement of communications the following year was accompanied by a further practical tightening of limited freedoms in the online communication space,<sup>807</sup> while, according to Szadziwski and Fay (2014), 80% of Uyghur homepages up beforehand had mysteriously disappeared. In terms of their characterisation as part of communicative counter-terrorism, calls to curb the spread of certain types of material and content are, though targeting both the communication of (potential) actors and that of the terrorist target, not consistently clear in stating their precise purpose. This may be an indicator for a combined threat perception that includes the ideological and the physical realm as much as one of the instrumentalisation of one type of threat to justifiably push for policy change in other areas.

Finally, and in partial contrast to the government's tight-lippedness on and censorship of controversial reporting on ethnic issues in general (Luqiu and Yang 2018), Urumqi 2009, at least according to Brady (2012a, 175-176), marked an exception with respect to what she calls "negative propaganda" that is open on those negative aspects that are useful to the justification of state intervention (169-170).<sup>808</sup> Two of her main arguments (Brady 2012a, 175-176) are ones that are also used by others: the early admission of foreign correspondents to cover the incidents<sup>809</sup> and live coverage by domestic media.<sup>810</sup> While the utility of that coverage towards threat framing and justification of counter-measures is compelling (IV.3.4.1, e.g. Barbour and

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<sup>807</sup> (AI 2010, 16; Cui, J. 2010; Famularo 2018, 51; Mudie 2010b; UHRP 2010, 19-20).

<sup>808</sup> Cf. Luqiu and Yang (2018, 610) who argue that state media have published information on domestic terrorism in XUAR since 2007 (although their data does not actually display much change across the entire 2005-2015 period in that respect).

<sup>809</sup> (e.g. CQCD 2009a, 1134-1135; Hu, Y. et al. 2009; Millward 2009, 252-254; Mudie 2009).

<sup>810</sup> (e.g. China Daily 2009a; CQCD 2009a, 1134-1136; JIR 2011, 54; Mudie 2009; Xinhua 2009a; 2009e).

Jones 2013), the logic had already been seen in 2001 (IV.3.3.2, e.g. Shichor 2005), only the means and extent were changing.

#### **IV.8.3.2 Governmental discursive power: resource and result**

As far as structural control of the media but also the education system is concerned, governmental discursive power has not diminished. In the 2002-2012 period, the party's tight grip on the media was illustrated by the handling of the SARS crisis in 2003 or the media blackout on crime in the capital in the run-up to the 2008 Beijing Olympics (Esarey 2006; cf. Shambaugh 2008, 108 who sees the former as a "debacle"). While limited forms of contestation and deviations from the party line were permitted (e.g. Brady 2012b, 55; Holbig 2013; 2018; Potter, Philip 2013, 83-85), if anything, oversight and censorship were intensified. Propaganda guidelines on ethnic issues include prohibitions of reporting on inter-ethnic violence in toto, on citing foreign sources regarding ethnic or religious affairs as well as obligations for web companies to monitor and censor the contents hosted by them (Brady 2012a, 164-165): According to Brady (2012a, 165, citing Neibu Tongxin 2005), since August 2005 Chinese media must not "publishing any politically sensitive or negative issues to do with Xinjiang", a point reiterated in Art. 9 of the XUAR Ethnic Unity Education Ordinance of 2009.

As far as the internet is concerned, the Chinese government did, after seemingly lagging behind in monitoring and controlling especially the mushrooming social media (e.g. *weibo*) seek to establish a relatively tight system of at least monitoring if not control through institutional oversight combined with technology and a patchwork of legislation that inter alia enlists foreign companies in its efforts.<sup>811</sup> Here is not the place to discuss the extent of censorship and information control afforded by China's infamous "Great Firewall".<sup>812</sup> Relevant are, for instance, the Network Bureau set up at the CCPD in 2006 and a Network Research Center under the State Council Information Office, keeping track of the development of public opinion in the online communication space and preparing recommendations on how to deal with ongoing developments (e.g. Boehler 2013; Lawrence and Martin 2013, 34-35; Tsai 2016, 732-376). Here, Noesselt (2016, 153) also points towards the exploitation of managerial and manipulative options derived from monitoring rather than straight censorship for which she sees the relative freedom of micro-blogs between 2009 and 2012 as emblematic. Yet by 2013, Boehler (2013) speaks of as many as "two million' internet opinion analysts'" (see Collins 2013; Kei 2015, 42; Shambaugh 2008, 107), a figure substantive even by the standards of a 1.2 billion-strong nation. The counter-part to these monitoring and censorship practices has been the active utilisation of social media on the side of the government to convey its standpoint on various issues (Lawrence and Martin 2013, 34-35). As some of the more traditional propaganda formats have faded in significance, the party-state has actively used modern

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<sup>811</sup> (e.g. Anhal 2002; Brady 2009, 443; Hill, J. 2006; Walton 2002)

<sup>812</sup> (He, Q. 2010; Hill, J. 2006; Hoffman, S. and Mattis 2016; IRBC 2014; Walton 2002).



technology to expand the omnipresence and reach of its propaganda through TV, then SMS and now the internet (Brady 2009, 442-444; Sandby-Thomas 2015, 99; Stockmann and Gallagher 2011). Meanwhile, the approach entailed the deployment of criminal justice tools against TSE advocacy online, especially in the aftermath of the Urumqi riots (e.g. CQCD 2010c, 1053; UHRP 2010, 15-20). In that sense, communicative counter-terrorism became not only facilitated by governmental discursive power as a legitimacy resource but also contributed to its further leveraging. Yet control of the internet is neither complete nor perfect (Hill, J. 2006, 49; Potter, Philip 2013, 84-85) and more generally, as Brady (2012b, 55) points out, “mass persuasion” in the sense of political indoctrination and mobilisation has become limited to students, party members and specifically vulnerable groups such as ethnic minorities.

#### **IV.8.3.3 *Interim conclusions (2002-2012)***

Communicative counter-terrorism in the Hu-Wen era was mostly in continuation of the previous decade, i.e. combining actor-centric communication in the sense of ethnic-unity propaganda and minority education (IV.8.3.1, e.g. Hu, J. 2006). The denial of attention component grew in consideration of the psychological impact of physical elements, especially at Urumqi in 2009. Two elements were new in that phase. One was the more active utilisation of modern technology towards those ends, be it their deployment as propaganda tools (IV.8.3.2, e.g. Brady 2009, 442-444) or the monitoring and moderation of that space by keeping track of public opinion and responding either by censorship or targeted government communication (e.g. Tsai 2016). Arguments advanced to justify censorship referred both to an actor-centric preventive logic (IV.8.3.1, e.g. Hu, J. 2010, 69) and an idea of the potential fallout for public opinion and legitimacy at large if word of interethnic violence in XUAR gets out (e.g. Li Zhi quoted in Xinhua 2009b). At that point, general governmental discursive power as a capacitating resource intersected with subject-specific justificatory arguments for further controls. The relationship between resource and result in terms of communicative counter-terrorism became co-constitutive, rendering my original hypothesis at II.3.6.3 untrue. And regardless of whether what Brady (2012a, 175-176) calls “negative propaganda” was truly strategically intended or simply consistent with previous framing patterns (IV.3.3, e.g. Barbour and Jones 2013) or down to a lack of control, it was conducive to further justifying that very approach.

#### **IV.8.4 *The Xi-Li/Xi Core era (2012-2018)***

##### **IV.8.4.1 *Propaganda, ideology and censorship after the 18th Party Congress (2012)***

As a backdrop to my discussion of communicative counter-terrorism and the roles played by propaganda, ideology and censorship in that context, it is necessary to acknowledge that at a systemic level, politics under the Fifth Leadership Generation has been characterised by a resurgence of ideological work, not stepping away from but flanking economic development (Brown and Berzina-Cerenkova 2018, 328-329). Xi (2013a, 172) highlighted the new thrust in

August 2013 at the National Propaganda and Thought Work Conference, concerning ideological work in general and with ethnic groups in particular, stating that "more efforts should be made to enhance the awareness of socialism with Chinese characteristics among the people of all ethnic groups" (see Lam 2016, 412). Brown and Berzina-Cerenkova (2018, 338, see 328-329) find ideology's significance under Xi in "the ways it enforces unity, creates a common purpose, and operates as a means of guiding the country, under the direction of unified CPC rule, towards its great objective – modernization with Chinese characteristics." This observation on the one hand fits neatly with the theoretical exposition on the role of ideology for *state-socialist* legitimacy in Beetham's ideal-type and in framing (performance) legitimacy in particular (II.5.7.1, e.g. Holbig 2013, 64-65, 72) as well as with the observations of other scholars on the particular case.<sup>813</sup> On the other hand, it substantiates that the communicative as well as development-related tools to counter the TSE threat (see IV.9) fit the larger trend precisely in attending to all three dimensions.

In detail, the core ideological canon in the Xi-era according to party statutes was defined by Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, Jiang Zemin's Three Represents and Hu Jintao's Scientific Concept of Development, practically broken down in the canon of the so-called Core Socialist Values<sup>814</sup>, introduced in 2006 and central to official discourse since 2014 (Noesselt 2016, 37, 40-42; Xi 2014f, 120). From 2015, Xi's "signature slogan" of the Four Comprehensives (III.3.4.3 above, see China Daily 2015) effectively also functioned as a guiding principle, among the fourth component of which the CCP's practical penetration by ideology through cadres' (re-)education was grounded (Brown and Berzina-Cerenkova 2018; Lams 2018, 403-404). With that emphasis on ideology in general and its role and the content of the notion of the "Great Nationalist Revival" (or "Chinese Dream") (Brown and Berzina-Cerenkova 2018; Lams 2018, 401-403, 406), notions of ideological security have been emphasised and pitted against continued Western non-socialist ideas that are threatening at the level of values and ideas ("Document #9" 2013; Klimeš 2018, 423; Lams 2018, 403-404). Both the general emphasis and the foreign element are points of intersection with the "ideological security"-based threat narrative revolving around religious extremism and XUAR ethnic separatism.

The chief means of ideological work has been education, portrayed in the official language "as the principal mechanism for the promotion of discursive consensus" (Lams 2018, 388, citing Cao, Q. 2014, see 404-405; Su 2011). Xi has revived ideological work inside the party by

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<sup>813</sup> (e.g. Holbig 2015, 2018; Lam 2016; Lams 2018; Noesselt 2016, 36-42). Cf. Kneuer (2017, 200-204) who argues that socialist ideology has given way to the pursuit of "missions" which essentially encompass those aspects I subsume under the ideology-contained performance goals (economic performance, modernisation, nationalism and a carefully assertive self-positioning in foreign policy).

<sup>814</sup> Xi (2014e, 188) outlined them in May 2014 as a fairly heterogenous and generic set of moral and procedural principles: "prosperity, democracy, civility, harmony, freedom, equality, justice, the rule of law, patriotism, dedication, integrity and friendship."

dusting off means last seen in the Cultural Revolution such as criticism and self-criticism sessions for CCP cadres as part of a broader “mass line campaign” kicked off in June 2013 (Hung 2013; Lam 2016, 412; Noesselt 2016, 37-38; Xi 2013b, 403-404; 2013c, 415-417). “Education” has also taken place via placing “strategic narratives” in public discourse in general, be it via the dissemination of so-called “closed texts” (Cao, Q. 2014, 11, quoted in Lams 2018, 390-391) as a type of propaganda material as well as political speeches and scholastic education (Lams 2018, 391, 401-402) or – as previously – the infrastructural control of the information and communication space and its contents so as to limit contestation of these strategic narratives to the degree that can be tolerated and/or mined for additional legitimacy. The strict nature of Chinese internet governance should not require much further elaboration other than that the government has taken the mobilisation potential of social media extremely seriously since 2013 (e.g. Hoffman, S. 2015b; Roney 2014), with a new round of crackdowns reported in 2016 (e.g. Deutsche Welle 2016). The general legal framework completed by passage of the National Security Law in July 2015 and the Cybersecurity Law in November 2016 is powerful enough to grant substantive leverage to authorities for interception, blocking, removal and enforcing blackouts.<sup>815</sup> Meanwhile, it is noteworthy that online contestation has, indeed, been permitted and fostered in some areas, as for instance Holbig (2018) shows in her analysis of how the concept of the “New Normal” was negotiated from 2014 through 2016. Thus, the term *discursive power* with its scope for variation when it comes to intolerance, strict control and censorship on issues that are sensitive enough to have serious potential for social protest (Lams 2018, 400) is better suited than that of *discourse monopoly*. That is although the CCP Central Committee clearly communicated the opinion that the party should control the media as part of its ideological management function in Document #9 (2013). It is also despite the fact that what I have followed Jungherr et al. (2019) in operationalising as the degree of *political parallelism* as well as the *regulatory environment*, particularly on ethno-religious matters, remain at the same high level (Luqiu and Yang 2018).

#### **IV.8.4.2 Actor-centric communication in XUAR: education, education, education**

Against the larger systemic backdrop illustrated above, actor-centric communication vis-à-vis XUAR’s Uyghurs intensified further in the last period, peaking in the indoctrination that paired communicative with coercive counter-terrorism seen at the peak of the de-extremification campaign in 2017 and 2018 (IV.9.6). While the general emphasis on ideological work after 2012 does tie in with larger developments in China, their extent and intensity in XUAR are unique (Meyer, P. 2016a, 9-10). From February 2014, XUAR implemented a three-phase educational campaign, the *fanghuiju*<sup>816</sup>, which had some 200,000 cadres dispatched to 10,000 villages in the region “to win people’s hearts” through “education” and tangible improvement of

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<sup>815</sup> (IV.5.3, e.g. Famularo 2018, 51; Kei 2015; Wang, Yuzhu 2015; Zhou, Z. 2018, 87-88).

<sup>816</sup> *Fanghuiju* is an “acronym [that] stands for ‘Visit the People, Benefit the People, Get Together the Hearts of the People’ [*fang minqing, hui minsheng, ju minxin*]” (HRW 2018b, 13).

their livelihoods (XUAR official quoted in Phillips 2014).<sup>817</sup> It eventually morphed into the “Becoming Family” (*jiedui renqing*) campaign commenced in October 2016, in which cadres are regularly deployed to live with local families in rural Xinjiang for several days to teach them Mandarin, promote CCP ideology and educate them on the dangers of religious extremism (HRW 2018b, 13; Lipes 2018d; Zhou, Z. 2016b). While tackling religious extremism was cited among the motivating factors and key goals of the campaigns,<sup>818</sup> they cannot be understood separately from the unswerving sinicisation effort (inter alia “ethnic mingling” and sinicisation of Uyghur Islam, see IV.7.4.2) that has since XWF2 in April 2014 been the chief means of putting an end to XUAR violence (Klimeš 2018, 420-421, 428, 430-432; Leibold 2014b). Moreover, the intelligence-gathering potential of so many cadres perpetually or repeatedly present at that level is considered equally important.<sup>819</sup>

Outside of the campaigns, ethnic unity propaganda has remained ubiquitous in the form of everyday visual propaganda and various types of media, including government white papers.<sup>820</sup> For instance, a metaphor used by Xi Jinping at XWF 2 in 2014 was that Xinjiang’s various ethnic groups should be “like seeds of a pomegranate” (quoted in Xinhua 2014a; see Leibold 2014b; Wang, Jiaping 2014). White Papers and political statements (e.g. in Beech 2014; Gan 2017b; Xinhua 2017b; 2017c) have once more reiterated the importance of XUAR to China and its glorious development under CCP rule. The focus on ethnic unity and the accordant ideological work have been further emphasised in the normal educational context. Here, apparent measures of affirmative action, for instance, in terms of language training or the “Xinjiang class” exchange program for XUAR minority students to attend boarding school in coastal provinces, had long doubled as covert assimilation measures. The CCP generally opened up about their factual aims in the 2010s as a part of official policy under the “ethnic mingling” imperative (IV.10.2.2, e.g. Klimeš 2018, 430-431). It is noteworthy that bilingual education was explicitly justified in reference to terrorism prevention from 2009 (Gupta, S. and Veena 2016, 314-315) and again in the context of stabilisation at XWF2 in April 2014 (e.g. Wang, Jiaping 2014). Meanwhile, the importance of the “correct” historiography has also been raised time and again (Gan 2017b; Zhang, C. 2019b, 8-9). Finally, authorities have, on the one hand, used diverse existing means of management and censorship to inhibit the dissemination of relevant information among potential terrorist actors online. The managerial rationale transpires, for instance, from the laissez-faire approach characterising authorities’ tolerance of Islamic revival discussions on We-Chat prior to the transpiration of the uncompromising

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<sup>817</sup> (see Campana 2015, 151; Chen, A. 2015; HRW 2018b, 13; Jiang, J. 2014; Leibold 2014b; Meyer, P. 2016a, 6-7, 9-11; Silk and Cheng 2014; Zhou, Z. 2016b, 13; 2017, 14-15).

<sup>818</sup> (Chen, A. 2015; Meyer, P. 2016a, 10; Phillips 2014; Zhou, Z. 2016b).

<sup>819</sup> (e.g. Denyer 2014; Dooley 2018; Leibold 2014b; Lipes 2018d; Phillips 2014; see IV.9).

<sup>820</sup> (e.g. Klimeš 2018, 428, 432; Meyer, P. 2016a; Terrone 2016; Zhang, Xiaoling et al. 2018; see e.g. “Culture White Paper” 2018; “Freedom of Religious Belief” 2016; “Human Rights in Xinjiang” 2017; “Xinjiang White Paper” 2015; “XPCC White Paper” 2014; see also Wang, Q. 2016).

approach to extremism at XWF2 in 2014 (Harris, R. and Isa 2018, 4-5). The censoring approach, by contrast, was visible after an attack in Bachu in April 2013 and after the Kunming Attack in March 2014, when Zhang Chunxian (quoted in Ng 2014b) apparently stated that “about 90 per cent of Xinjiang’s suspected terrorists bypassed the country’s internet controls [...] to exchange extremist views” to justify a tightening of regulations, further discussed at XWF2 that April.<sup>821</sup> Both managerial and censoring mechanisms were vamped up in the 2015 National Counter-Terrorism Law (IV.5.3/IV.8.4.3).

#### **IV.8.4.3 Target-centric communication**

Target-centric communicative measures have developed comprehensively in the last period in three interlocking areas: denial of attention, demystification/resilience and counter-mobilisation. The CCP’s general tight-lippedness on sensitive issues and legal bans on reporting on religious and inter-ethnic issues (IV.8.2.2, e.g. HRW 2005a, 30-31) and on XUAR (IV.8.3.2, e.g. Brady 2012a, 165) have already been discussed. So have the general degree of discursive power enjoyed by the CCP via the education and propaganda systems and its monitoring and management of the online communication space. In the last period of analysis, unlike the Urumqi riots where reporting had been relatively free (IV.8.3.1, e.g. Millward 2009, 252-254), the government was fairly reticent concerning terrorism and counter-terrorism operations (Zhang, Xiaoling et al. 2018, 794, specifically for the year 2014) unless it could claim success.<sup>822</sup> This emanates, for instance, from major news outlets’ silence on the Kunming incident in March 2014 (Shah 2016) or coverage of the coal mine attack in Aksu that September where the government only opened up about details of the incident once it was in a position to receive credit for having hunted down and assassinated 28 terrorists two months later.<sup>823</sup> With several other incidents between 2013 and 2016 that were not reported by the government, independent reports by RFA or human rights organisations indicate that there were internet and communications blackouts in affected regions so as to prevent independent reports from airing.<sup>824</sup> In the case of Chinese hostage Fan Jinghui’s assassination by IS in November 2013, by contrast, Weibo was initially afloat with pictures and comments that were then removed as analysts seemed to have concluded that this could turn into a public opinion problem (Allen-Ebrahimian 2015). These pick-and-mix reporting and censorship practices were put on a firm legal base with passage of the National Counter-Terrorism Law in 2015. Art. 63 created a new legal base by establishing an information monopoly for “the provincial leading institution on counter-terrorism work” (transl. by CLT) and prohibiting independent reporting on the subjects of extremism, terrorism and counter-terrorism by independent media, while Art.

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<sup>821</sup> (see Beech 2014; Famularo 2018, 51; Klimeš 2018, 432-433; Wang, Yuzhu 2015; Wen 2014).

<sup>822</sup> Cf. data on state news media reports on domestic terrorism and counter-terrorism in Luqiu and Yang (2018, 610-611). They at least agree with respect to a lack of details and a lack of open discussion of motives.

<sup>823</sup> (Deutsche Welle 2015; Eckert 2015; Lipes 2015b; Martina and Blanchard 2015).

<sup>824</sup> (Eckert 2016; Jacobs 2013; Klimeš 2018, 432; Szadziwski and Fay 2014; UHRP 2016, 7-8).

19 added to the state's lawful capacity to access and remove content hosted or transmitted by communications and ISPs. Since the underlying rationale was to prevent copycat acts and forestall the creation of a climate of fear, particularly by curbing reposts on social media,<sup>825</sup> this fits the denial of attention component discussed as part of target-centric communicative counter-terrorism (Zhou, Z. 2016a; II.3.6.2, e.g. Wilkinson 2011, 159-161).

Another point pertaining to communicative counter-terrorism that was also present in the 2015 Counter-Terrorism Law is the promotion of “publicity and education, raising citizens’ counter-terrorism awareness” and “knowledge of prevention and response to terrorist activities” (Art. 17, transl. by CLT). In theory terms, this relates to the demystification of the phenomenon, i.e. the potential of violent attacks, perpetrators’ intent and the characteristic instrumentalisation of fear, to minimise terrorism’s impact by taking away the alienating and surprise momentum that propels the spiralling of fear (II.3.6.2, e.g. Posner 2002). More noteworthy than that has been the component of counter-terrorism mobilisation in the public at large. This is partly epitomised by the notion of the “People’s Warfare Campaign against Terrorism” (synonymously People’s War on Terrorism, a term coined in the run-up to the 2008 Beijing Olympics, leaning onto Mao’s concept of “people’s warfare” – Jamestown 2008a; 2008b; Schwarck 2013). In as much as this is a surveillance and intelligence exercise, it is further discussed at IV.9, but there are clearly communicative components to the People’s War on Terrorism. There is that part of communication that explains the subject of engagement, for instance, via counter-terrorism brochures handed out from October 2014, where the aim was, according to Zhang Yubo, a co-author, that “those who have safety awareness and knowledge and know how to fight terrorists in the right way can not only save their lives but also lower the losses caused by terrorist activities” (Xinhua 2014j). Then, there is its important derivative of mobilisation so as to “make terrorists become like rats scurrying across a street, with everybody shouting ‘beat them’” (Xi Jinping quoted in Xinhua 2014e; see Renmin Ribao 2015; Xi 2014d, 224). It is towards the latter, that Zhang Chunxian declared the People’s War on Terrorism in Xinjiang in May 2014 (Renmin Ribao 2015; Xinhua 2014k). It is this target-centric popular mobilisation against terrorism which the (para)military counter-terrorism parades seen in XUAR since 2017 (IV.6.4., e.g. Clarke, M. 2017a) symbolically tie in with.

#### **IV.8.4.4 *Interim conclusions (2012-2018)***

Based on established argumentative and institutional patterns, in the last phase the CCP continued to combine existing means of ethnic unity “education” as part of an actor-centric approach with target-centric means to limit the fallout from physical and ideological contestation by XUAR TSE in China at large. Yet there have been four major developments in communicative counter-terrorism with implications for my legitimacy interest.

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<sup>825</sup> (e.g. UHRP 2016, 7; Wang, Yuzhu 2015; Xinhua 2015a; Zhou, Z. 2016a; see IV.5.3).

Propaganda and education for XUAR's Uyghurs were stepped up through campaigns that have eventually mixed communication with surveillance and coercion (IV.8.4.2/see IV.9). It is difficult to extract from the official narrative and the policies implemented on the ground whether any of the following was in fact a reason for that or merely a concurrent development that facilitated implementation. Yet, the intensification was consistent with the change in the threat narrative that has regarded extremism as a national security threat in its own right (IV.3.4.2, e.g. Klimeš 2018) and the Xi administration's focus on ideological work since 2013 (IV.8.4.1, e.g. Noesselt 2016, 37-42). The focus on ideology has probably also heightened the CCP's sensitivity to threats at that level. Secondly, and in line with the unswerving focus on ethnic unity via "ethnic mingling" expressed at XWF2 in 2014 (Leibold 2014b), minority education (scholastic and propagandistic) has become part and parcel of the CCP's broader reliance on the reconstruction of legitimacy through ideology-tinted discourse (IV.8.4.1, e.g. Lams 2018, 338, 404-405), for instance, by ensuring dissemination of the "correct" historiography (IV.8.4.2, e.g. Gan 2017b; see Korte 2016c).

Concerning target-centric communicative counter-terrorism, what I had already identified to partly conform to what Perliger (2012, 507-508) refers to as the "struggle over symbolic power" (e.g. IV.8.2.1), has been further witnessed. Instances are the combination of denial of attention at large via tightened reporting rules, censorship and news blackouts as enshrined, for instance, in the 2015 Counter-Terrorism Law but also other cyber-security relevant legislation (see IV.5.3, e.g. Zhou, Z. 2018, 87-88) with selective reporting on occasions when CCP authorities could claim successful CTOs (IV.8.4.3). Moreover, the Counter-Terrorism Law also prescribed some means towards demystification consistent with, for instance, Posner's (2002) "regulatory model" of fear management (II.3.6.2; see IV.8.4.3). However, more important than that has been, fourth, the use of such "educational" means to mobilise the target population against terrorism in the course of the People's War on Terrorism (IV.8.4.3, e.g. Xinhua 2014k; see Korte 2016c). This supersedes the notion of passive resilience to symbolic challenge that underlies, for instance, Coaffee (2006, 396-400; see II.3.6.2). Instead, it turns into an actively mobilising effort, a capacity unique to a system that still generally relies on what Beetham calls the *mobilisation of performative consent* (e.g. Holbig 2013) and is systematically geared to do that. Meanwhile, both the discursive efforts and those pertaining to censorship and control have specifically in XUAR been repeatedly justified in reference to the TSE threat (e.g. Zhang Chunxian quoted in Ng 2014b; see Klimeš 2018, 432-433). Then, the pattern of co-constitutiveness between governmental discursive power as a resource and communicative counter-terrorism, already pointed out at IV.8.3.3, is observed again.

#### **IV.8.5 Summary of communicative counter-terrorism**

In a nutshell, communicative counter-terrorism in China has been a function of (i) the CCP's threat understanding at any one time which has consistently tied in with the core content of

and role played by ideology and (ii) the means of ideology's propagation or – as Beetham (2013, 182) would say, “reproduction” – prevailing in the system at that time. However, (iii) at least since the Hu-Wen era, countering the direct and indirect ideological threat emanating from TSE has, especially in XUAR, also been another argument for leveraging the CCP's discursive power.

What I have modelled as actor-centric communicative counter-terrorism (II.3.6.3) has been a standing part of that repertoire since the 1990s. Then, Zhang Xiuming (1998, 75) recognised it as a “struggle in the ideological domain”, which it has remained even as religious extremism took separatism's place as the main threat in the 2010s (IV.3.4.2, e.g. Klimeš 2018; see Korte 2018a). The content itself has not changed much: XUAR's Uyghurs have consistently been flooded with propaganda on ethnic unity, XUAR's successful development and the “correct” CCP historiography via the education system, news media and everyday propaganda (e.g. Zhang, Xiaoling et al. 2018; see Korte 2016c). The means have become more sophisticated with the appropriation of modern technology in the Hu-Wen era (IV.8.3.2, e.g. Brady 2009, 442-444) and intensified with the education and de-extremification campaigns in the Xi era (IV.8.4.2). The latter fit the larger framework of emphasis on ideological work but was also justified in its extraordinarily intrusive capacity by the unswerving focus on “ethnic mingling” and de-extremification as the combined solution at XWF2 in 2014 (IV.8.4.2, e.g. Klimeš 2018; Leibold 2014b). Despite the original motivation having been the countering of the ideological security threat (Korte 2018a), as will be seen in the next section, the CCP has thus turned communicative counter-terrorism from being a tool of threat diffusion into one of indoctrination towards legitimisation, what Klimeš (2018) calls *ideational governance*.

With target-centric communicative counter-terrorism, the development has been more fine-grained. Denial of attention has always been a rationale that already emanated from early prohibitions of reporting on sensitive religious and ethnic issues (IV.8.2.2, e.g. HRW 2005a, 30-31; IV.8.3.2, e.g. Brady 2012a, 165). It has been grounded at national security and criminal justice level with the National Security and Counter-Terrorism Laws in 2015 and the Cyber-Security Law in 2016 with their far-reaching provisions on censorship, removal of information and imposition of blackouts (IV.8.4.1, e.g. Famularo 2018, 51; Zhou, Z. 2018, 87-88; see IV.5.3). However, originally denial of attention seemed to refer to the ideological threat rather than to the symbolism of acts of terror and the instrumental significance of the ensuing climate of fear. Those lie at the heart of my model following the arguments of Browne and Silke (2010, 105-107) or Wilkinson (2011, 159-161; see II.3.6.2) as to the utility of censorship or news embargoes. This seems to have changed post-2009, as, for instance, Li Zhi (quoted in Xinhua 2009b) justified XUAR's communications lockdown with the intent to “prevent violence from spreading to other places” (IV.8.3.1). In addition to denial of attention, in the last period of analysis, the CCP has taken to heart the notion of resilience. Yet far beyond the goal of



demystification to cushion the shock and prevent the spiralling of fear, as suggested, for instance, by Crelinsten (2014, 9), with the notion of the People's Warfare on Terrorism, the idea of passive resilience underlying, for instance, Coaffee's (2006, 396-400) elaborations, has been overturned into an actively mobilising effort that is simultaneously in favour of the regime and against the "terrorists". Thereby, target-centric communicative counter-terrorism has, like its actor-centric counter-part, developed from an indirectly legitimating anti-threat effort into an in and of itself legitimating pro-regime effort.

Concerning the question whether governmental discursive power as a legitimacy resource is a facilitating factor in the implementation of communicative counter-terrorism (II.5.8.3), the answer is yes. Each aspect of actor-and target-centric communicative counter-terrorism discussed has profited from the CCP's control over the education system, news media, propaganda apparatus and increasingly managerial approach to the internet (Korte 2016c). Yet at least since the Hu-Wen era, when it comes to XUAR, the intensification of efforts seen there has been justified precisely in reference to the communication between potential actors (IV.8.3.1, e.g. Hu, J. 2010, 69) and their outreach, primarily online (IV.8.3.1, e.g. Xinhua 2009b; Klimeš 2018, 432-433), with "ethnic unity education" already in the 1990s. Accordingly, the relationship between governmental discursive power and communicative counter-terrorism must be seen as co-constitutive.

## IV.9 Surveillance, "education" and de-extremification (2014-2018)

### IV.9.1 Overview

In the course of XWF2 in April 2014, President Xi Jinping (quoted in Xinhua 2014n) "called for 'nets spread from the earth to the sky' to defend against terrorist acts in Xinjiang." Neither extensive surveillance nor attempts to mobilise Uyghurs in favour of the party-state were new to the region. However, the extent and density of the technological and human surveillance network rolled out in XUAR in subsequent years and the integration of the knowledge gained into a region-wide system of re-education and de-extremification reached new heights in the aftermath of that conference, particularly since the inauguration of Chen Quanguo as XUAR's CCP secretary in August 2016 with the ensuing construction of de-extremification camps. These efforts have combined actor-centric communication for the prevention of extremism with coercive means of its suppression, though the latter mostly via the threatening capacity projected through the system of human and technological surveillance. In my analysis, I beg to differ from a substantive body of human-rights critical writing in that I carve out this system's positive and constructive potential for the legitimation of CCP power. That mostly sits with the dissemination of ideological and behavioural norms for the positive evaluation of CCP legitimacy as per what Klimeš (2018) calls *ideational governance*, the positive effects of compliance therewith and the identification of the "education" effort and the de-extremification camps. These components do not just operate as part of the *demobilisation of dissent* in their

counter-extremism capacity but also as part of the *mobilisation of performative consent* – two important and potent factors in Beetham’s (2013, 157, 183) theory of legitimation with respect to *state-socialist* systems. To that end, I outline the technological surveillance and control measures rolled out in XUAR since 2014 (IV.9.2), how they interlock with the human component via humint gathered through grid management and CPS under Chen Quanguo (IV.9.3) as well as the *fanghuiju* and *jiedui renqing* campaigns (IV.9.4) as cases in point for general mobilisation. Mobilisation is also discussed in the context of the People’s War against Terrorism (IV.9.5). Subsection IV.9.6 takes stock of the de-extremification campaign, its means, intents and purposes. Next to these components’ (expected) effects on legitimacy, I discuss how they are consistent with broader systemic observations historically and concurrently.

#### IV.9.2 Technological surveillance and control measures

True to Xi’s admonition “for ‘nets spread from the earth to the sky’” (quoted in Xinhua 2014n), XUAR’s already substantive surveillance apparatus was expanded further from 2014 onwards. Along with the revival of the “People’s Warfare” concept in the terrorism context in the run-up to the 2008 Beijing Olympics, the system of CCTV and informants had already been expanded China-wide (Jamestown 2008a; 2008b; Stratfor 2008h). Inside XUAR, a large step in increasing surveillance had been made in the aftermath of the July 2009 riots with the installation of 40,000 cameras,<sup>826</sup> a number that might seem disproportionate by most standards but less so in comparison to the 30 million operational across China by mid-2015 (Buckow et al. 2015). An area in which surveillance of XUAR’s population has been more extraordinary is the monitoring of individual movements and bodies technologically or via physical control measures (Roberts 2018). Since April 2013, SIM-card buyers have had to register with their real name and address to facilitate tracking (Mudie 2013; Pantucci 2013). Other measures designed to control movements were the “People’s Convenience Contact Card” programme implemented between May 2014 and May 2016 to track the movement of XUAR’s internal work migration (Byler and Grose 2018; HRW 2018b, 60-61) or the installation of GPS tracking devices on XUAR vehicles in spring 2017 (Famularo 2018, 65-66; Phillips 2017a; Stratfor 2017b). Whereas the former measures were primarily designed to monitor movements, the mandatory handing in of passports for so-called “safekeeping”, first reported from Ili in April 2015 and extended XUAR-wide in October 2016, in and of itself limited freedom of movement.<sup>827</sup> Moreover, the collection of citizens’ bio-data such as 4D pictures, fingerprints, DNA, voice samples and iris scans, initially only taken in the course of passport applications,<sup>828</sup> became part of systematic profiling efforts in 2017.<sup>829</sup> Other extraordinary measures of

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<sup>826</sup> (Buckow et al. 2015; Moore, M. 2010; Mudie 2010a; Xinhua 2010c).

<sup>827</sup> (HRW 2016a, see Chieu and Fang 2016; Gan 2016b; HRW 2015c, 29-30, 52; 2018b, 57-63; Roberts 2018, 247; Wong 2015, 2016).

<sup>828</sup> (Clarke, M. 2017a; Famularo 2018, 66; Finney 2013; Gan 2016a; HRW 2016a).

<sup>829</sup> (AI 2018a, 16; Famularo 2018, 59; Haas 2017; HRW 2018b, 3, 18, 26, 76-77, 79; Roberts 2018, 247-248).

surveillance and control seen in XUAR by that time included the registration of household knives (Beach 2017; Lam 2017; Millward 2018; Rudolph 2017), the order for Uyghur students to return home from abroad “to identify their political and ideological stance”<sup>830</sup> and the mandatory submission of all personal portable electronic devices with the police “for registration and scanning” (June 27 public notice quoted in Mudie and Lipes 2017; Famularo 2018, 60-61).

#### IV.9.3 Grid management and CPS

Although XUAR’s technological surveillance is substantive, I consider the more significant component to the system of surveillance the human intelligence (humint) component and how it interlocks with the technical aspects. First, there is the grid management system which, based on the 1960s’/1970s’ idea of work units, had begun to be tested, then implemented in Urumqi from 2007 (Wu, Q. 2014). The modern version aggregates households and tasks residents with mutual assistance “for security and poverty alleviation“, but also with watching each other (Gan 2016b; see Clarke, M. 2017a; Leibold 2014b). Each cell has a CCP secretary, social workers and firefighters to take care of physical and social well-being within the cell.<sup>831</sup> Additionally, there have been village police (*cunjing*) and so-called “red armbands” as civilian reinforcements for local police, patrolling neighbourhoods and reporting suspicious activities.<sup>832</sup> The social management or “social governance” seen in grid management is not unique to XUAR but has been seen in other parts of China, too, both in the form of grid management and the so-called “social credit system” (Famularo 2018, 59-60; Hoffman, S. 2017). This could be – and has been (Millward 2018) – read as a partial reversion to totalitarian means of a party’s surveillance and penetration of apolitical spheres to turn them into a locus of control and mobilisation by prescribing and rewarding socially desirable behaviour and sanctioning that to the contrary.

As can be seen from the dates, many of these surveillance and social management measures were already implemented under Zhang Chunxian (Leibold 2014b; 2016, 249-250). Yet they reached a new order of magnitude with Zhang’s replacement by Chen Quanguo in August 2016, previously CCP Secretary of Tibet, who rolled out those surveillance and control measures that had contributed to stabilisation in the neighbouring region, albeit at a larger and more systematic scale.<sup>833</sup> In August 2016, he ordered the establishment of so-called “convenience police stations” (CPS, *bian minjing wuzhan*). These are small concrete buildings equipped with useful items for the population to use – hence the “convenience” part – but they also feature surveillance cameras, high-tech face, voice recognition and profiling systems,

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<sup>830</sup> (police officer cited in Finney 2017; see Famularo 2018, 66; Feng 2017; Mudie and Lipes 2017).

<sup>831</sup> (The Economist 2013; Leibold 2014b; Leibold and Zenz 2016; Wu, Q. 2014).

<sup>832</sup> (e.g. Finney 2016; Lam 2017; Leibold and Grose 2016, 94-95; Zenz and Leibold 2017b).

<sup>833</sup> (e.g. Batke 2018; Gan 2016b; HRW 2015c; Klimeš 2018, 417-418; Leibold and Zenz 2016; Millward 2018; Zenz and Leibold 2017a).

anti-riot equipment and are staffed 24-7, effectively functioning as checkpoints.<sup>834</sup> Some 950 of these CPS were set up in Urumqi within the first six months of the order, numbering 7,500 by mid-2017, when Byler and Grose (2018) documented that there was one “every 200m in Ürümqi’s Uyghur districts”, effectively rendering them omnipresent (see Lam 2017; Zenz and Leibold 2017a). To staff them, over 90,855 new jobs for police officers were announced between August 2016 and July 2017, 95% of them as assistant police positions (Zenz and Leibold 2017a; 2017b). The CPS have, on the one hand, been a cheap way of amplifying surveillance and policing power, while, on the other hand, co-opting tens of thousands of the potentially dissident population into the lowest ranks of the state’s organisational pyramid (Leibold and Zenz 2016; Zenz and Leibold 2017a; 2017b). Thus, like the grid management system, they bridge the gap between humint and the technology-reliant types of intelligence. Moreover, they are connected to the Integrated Joint Operations Platform (IJOP), a system that apparently went operational in August 2016 but on which little information is available in open sources other than that it seems to be a platform for interoperating databases and combining intelligence from different sources towards predictive policing.<sup>835</sup>

#### IV.9.4 The human component: campaigns

While grid management and the CPS already combined humint and technological means of surveillance and control, the real extent of the systematic combination of the two resources and the particular importance of the human component are best illustrated along the “educational” campaigns conducted by the state in XUAR since 2014: the *fanghaiju* (2014-2016) and the *jiedui renqing* (2016-?). As CCP cadres are hosted by local families to conduct education in ideological matters (Core Socialist Values etc.) and in prevention of religious extremism, i.e. the types of oftentimes ethnic, cultural or religious expressions considered to be extremist (IV.8.4.2 above), hosts are also the subject of intense scrutiny as to their thoughts and habits, taking corrective governance into the private recesses of people’s homes.<sup>836</sup> The tip of the iceberg is that the information gathered by cadres in the course of campaigns is, according to HRW (2018a), fed into IJOP, which in turn generates recommendations for detention and re-education. The combination of surveillance and education in the course of the campaigns creates a particularly powerful form of *ideational governance* because it is particularised to the individual and reinforces the incentive to appropriate the desired way of thinking and behaviour with the threat of punishment by subjection to further educational measures, most importantly – being sent to a camp (IV.9.6) for further education (Klimeš 2018;

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<sup>834</sup> (Byler and Grose 2018; Famularo 2018, 56, 64; Gan 2016b; HRW 2018b, 59; Leibold and Zenz 2016; Zenz and Leibold 2017b).

<sup>835</sup> (HRW 2018a; 2018b, 18, 60; Roberts 2018, 249; see Famularo 2018, 58-60 on the technical integration of different types of intel).

<sup>836</sup> (e.g. Campana 2015, 151-152; Famularo 2018, 62-63; HRW 2018b, 13; Klimeš 2018, 431; Leibold 2014b; Lipes 2018d; Meyer, P. 2016a, 6-7, 9-11; Phillips 2014; Roberts 2018, 248; Smith Finley 2018, 14; Zhang, C. 2019b, 10; Zhou, Z. 2016b, 13; 2017, 14-15).

Lipes 2018d; Meyer, P. 2016a). I would even claim that, in contrast to Sean Roberts (2018) who argues that XUAR as a region and specifically the de-extremification camps have become loci of Foucaultian (1977; 2005) *biopower* over Uyghurs constructed as and pushed into the role of *homo sacer*, and that the coerciveness and collectivity of the approach are probably counter-productive – because his argument stops at the exclusion – this is in fact a potentially very productive power-relationship.<sup>837</sup>

There are several reasons why I think so. First, it is prescriptive behavioural norms that are conveyed and enforced, not just undesirable behaviours being suppressed (Byler and Grose 2018; Campana 2015, 151-152; Meyer, P. 2016a). Specifically, these are norms whose spread is conducive to the legitimation of CCP power because of norm-based nature of legitimacy in general (Beetham 2013, chapt. 3), and because of their being part of a discursive ideological framework for the derivation of any and all of the norms with which *authorisation to power* and governance have to conform with in order for the power relationship to be legitimate (II.5.7.1, Beetham 2013, e.g. 181-182; see Holbig 2006, 10-14; 2013, 62-65). Second to that “education” in norms’ contribution to the legitimation of power, their practical implementation may be conducive to the materialisation of ideology’s performance goals more broadly, in particular on the ethnic unity front; that is, if it indeed succeeds in what Byler and Grose (2018) call “engineering Uyghur-Chinese citizens” whose thought and behaviour are hanified and standardised,<sup>838</sup> a point seen with religious governance and communicative counter-terrorism in the last two subsections. Third, the power relationship between the surveilled and “educated” Uyghurs and the CCP is particularly productive because the one-on-one setting permits for an individually-tailored catalogue of measures from incentives to punishment since education is only complete once “they embrace the ‘correct’ policy as their own”, suggesting an actual appropriation of the language, norms and behaviours into one’s own behaviour (Zhang, C. 2019b, 10-11). So the means chosen are, by any standard, coercive and intrusive to the extent that we could call the result *ideational power*. This would symbolise that it supersedes the kinetic notion of *biopower* as used by Roberts (2018) and operates in the borderlands of what Beetham (2013, 104-108) considers possible in terms of *self-closure* (II.5.3.5). Meanwhile, because of the legitimacy-related productive character of this (discursive) power relationship – intensely one-sided as it is – Klimeš (2018) notion of *ideational governance* is still the best fit.

#### IV.9.5 Mobilisation against terrorism

The People’s Warfare against Terrorism and residential education at the de-extremification centres seen since 2016 (IV.9.6) operate at a different level in that they bring together and

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<sup>837</sup> For my own discussion of the theoretical concept, terrorism and counter-terrorism in Agamben’s *Means without End* (2000), *Homo Sacer, Sovereign Power and Bare Life* (1998), and *State of Exception* (2005), see my M.A. thesis (Korte 2013, particularly 11-18).

<sup>838</sup> (Doyon 2019; Klimeš 2018; Leibold 2018a; Meyer, P. 2016a; Zenz 2018a).

(de)mobilise large numbers of people and also illustrate the pairing of (coerced) *demobilisation of dissent* with the *mobilisation of performative consent*. The latter is a characteristic of *state-socialist systems* generally recognised by Beetham (2013, 157, 183) and Holbig (2011b, 169-170) and, in the case of China, empirically shown by Holbig (2013, 74-75). There are two important parts of the People's Warfare against Terrorism in this respect, both of which have been put on a firmer legal base with the 2015 Counter-Terrorism Law. One is the enlistment of the public at large into education but also intelligence-gathering (Articles 5, 7-9, 44, 74) and the provision of the necessary institutional interfaces to feed that information into the system,<sup>839</sup> a process that has been aided by rewarding contributions and tips with substantial sums of money.<sup>840</sup> If one considers, for instance, the offer of rewards of 2,000 yuan for telling on people wearing suspicious dress (Martina 2017a; see Famularo 2018, 64-65; Roberts 2018, 248) – an amount that goes a long way in a region whose per capita income was 21,500 yuan in 2018 (Xinhua 2019) – it is easy to see how social pressure to sinicise would increase for purely opportunistic reasons alone. Another important component is people's physical mobilisation into counter-efforts which, if one believes Chinese reports, have turned into something akin to a communal witch-hunt after Xi's vows to "make terrorists become like rats scurrying across a street, with everybody shouting 'beat them'" (Xi Jinping quoted in Xinhua 2014e; see Renmin Ribao 2015; Xi 2014d, 224). For instance, Xinhua (2015c) reports that in August 2014, "more than 30,000 volunteers helped local police chase suspects in Karakax County", painting a vivid image of the extent of that mobilisation.<sup>841</sup>

Returning to the question what role the state's generic legitimacy (re)sources play in the design and implementation of counter-terrorism, the People's War on Terrorism and the communicative as well as physical mobilisation encountered in its wake are subject-specific replica of the old Maoist concept of the "mass line", revived to sustain and legitimate CCP governance in the Xi era more generally (Xi 2013b; 2013c; Zhang, C. 2019b; Zhang, Xiaoling et al. 2018, 786) so that counter-terrorist mobilisation is at least seen to tie in with broader systemic trends even if the latter are not the cause of the former. Yet the full (de)mobilising potential has only come out since the erection of the so-called "vocational training centres" where Uyghurs are subjected to de-extremification and "education".

#### **IV.9.6 De-extremification: "demobilisation of dissent" and "mobilisation of consent"**

While the first reports of de-extremification centres go back to 2014, they began to mushroom across XUAR in March 2017,<sup>842</sup> but until October 2018, China persistently dismissed reports

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<sup>839</sup> (Doyon 2019; Korte 2016c; Zhang, C. 2019a, 14; 2019b, 7-8; Zhou, Z. 2016a; 2016b, 12).

<sup>840</sup> ("PRC Counter-Terrorism Law (CLT)" 2015, Art. 10; Boliek 2016; Huang, K. 2017; Lam 2017; Schwarck 2013; Stratfor 2017b).

<sup>841</sup> (see Tiezzi 2014b; Xinhua 2015b; Zhang, C. 2019b, 7; Zhou, Z. 2016a). Similar reports emerged in October/November 2015 (e.g. Deutsche Welle 2015; Eckert 2015; Lipes 2015b; Martina and Blanchard 2015).

<sup>842</sup> (Batke 2019; Eckert 2017; Zenz 2018a).

of their existence.<sup>843</sup> Yet in May 2018, Adrian Zenz (2018a) had already published the results of a comprehensive analysis of recruitment notices, procurement and construction bids publicly announced by the government which he matched with satellite imagery and official budget reports to show that beginning in March 2017, many such facilities had been constructed. The evidence collected by Zenz – their layout and staffing, standards of equipment (Zenz 2018a; 2018c), their funding under “security-related facility construction” and oversight by authorities previously in charge of the abandoned *laojiao* programme (Zenz 2018b) – as well as an ever-growing number of reports by human rights organisations<sup>844</sup> indicate that they do exist and that admission is not on a voluntary basis. Then, in October 2018, the Chinese government changed its position to admit their existence, arguing that residents are “trainees” in “vocational skills education and training institutions”, retaining their full rights and freedoms under the law, and that the centres are an essential part of China’s and thus international “counter-terrorism and de-radicalization” effort.<sup>845</sup> Interestingly, the government almost simultaneously came out “cit[ing] transformation success rates” as cases in point of the measure (Zenz 2018c, 2, 12-14) or at least describing the courses as “effective” (Deputy Foreign Minister Le Yucheng in UNOHCHR 2019; see Shih 2018).

According to official reports and the governing regulations (IV.5.4.2-3 above), trainees receive education in religious doctrine, Mandarin language, law and occupational skills as well as an “ideological education, psychological rehabilitation, and behavioral corrections, to promote ideological conversion of those receiving education and training.”<sup>846</sup> The goals of de-extremification education are further outlined as being to

build identification with the great motherland, the Chinese people, Chinese culture, the Communist Party of China, and socialism with Chinese characteristics; increasing awareness of the state, citizens, law, and the community of Chinese ethnicities; practicing the Core Socialist Values, and conscientiously resisting and staying clear of extremism. (“De-Extremification Regulation” 2017, Art. 30; “Revised XUAR Implementing Measures” 2018, Art. 32, both transl. by CLT)

While the training has sometimes been presented “as a ‘poverty alleviation measure’” (Zenz 2018c, 1; Zhao, Yusha 2018),<sup>847</sup> the more salient line of argumentation is that of “extremification” as a “virus” that can and has to be cured through education.<sup>848</sup> Yet, the content, means and rationale outlined in the regulations indicate that the goal falls nothing short of a full sinicisation of thinking along the lines set forth in CCP ideology (e.g. Byler and Grose 2018;

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<sup>843</sup> (e.g. Buckley, C. 2018a; 2018b; China Daily 2018; Lipes 2018c; UNOHCHR 2018).

<sup>844</sup> (e.g. AI 2018b; 2018a; HRW 2017; 2018b; UNOHCHR 2018).

<sup>845</sup> (UNHRC 2018, 5; UNOHCHR 2019; Zakir 2018; see Buckley, C. 2018a; Hua 2019; Lipes 2019; Liu, L. 2018; “TEHR White Paper” 2019, V).

<sup>846</sup> (“Revised Regulation on De-Extremification” 2018, Art. 33, transl. by CLT, see Art. 14; “De-Extremification Regulation” 2017, Art. 14; Zakir 2018).

<sup>847</sup> (see Zakir 2018; similarly “Revised XUAR Implementing Measures” 2018, Art. 21; “De-Extremification Regulation” 2017, Articles 11, 14; Lu 2019; “TEHR White Paper” 2019, V; UNHRC 2018).

<sup>848</sup> (IV.3.4.2, e.g. Clarke, M. 2015, 133; Dooley 2018; HRW 2018b; RFA 2018; Roberts 2018; Samuel 2018; Wen 2014; Zenz 2018c, 2, 21).

Doyon 2019; Zenz 2018a; Zhou 2017). The impression that the focus is on the underlying patterns of thinking in line with the recent focus on the primarily ideological character of the extremist threat also resonates with the Mandarin semantics: Zhou Zunyou (2017, 1-2) points out that the term “de-extremification” is only akin to ideological deradicalisation but is agnostic to the aspect of disengagement from violent action and that there is no comparable term in Chinese to refer to the latter.<sup>849</sup> The ideology- and nationalism-centric impression is further substantiated by reports of trainees singing patriotic songs, taking part in flag-raising ceremonies and engaging with their “transgressions” in self-criticism sessions.<sup>850</sup>

In that vein, this type of education makes two contributions to the legitimization of CCP power by the standards of Beetham above and beyond its presumed effectiveness in catering to the *general interest* of security by preventing terrorism: First, as already seen with the campaigns (IV.9.4) and with all of the aspects I considered to contribute to a constructively legitimating power relationship there in mind, by inculcating participants with CCP ideology, the discursive prevalence of the ideological norms against which the CCP would like to see its legitimacy evaluated is increased within the target group through “ideational governance” as shown by Ondrej Klimeš (2018, 415, see 422-423; see IV.7.4.1): “influencing the Uyghurs’ way of thinking [...], defin[ing] and regulat[ing] Uyghur values, beliefs, and loyalties so that they are instrumental in maintaining the regime’s political security” – possibly beyond the limits of normative-discursive self-closure as envisaged by Beetham (2013, 8-11, 104-108; see II.5.3.5). Secondly, even where congruity between Uyghurs’ individually held norms and regime performance is not attained either because of de-facto *limits to self-closure* or because the degree of coercion is latently counter-productive, the symbolic power of their marching and singing to the national anthem and declaring themselves to be Chinese qualifies as the *performative consent* characteristic of *state-socialist systems in mobilisation mode* (Beetham 2013, 155-156; see II.5.3.4). As a matter of fact, that point is not limited to those who are interned, but by virtue of the surveillance state’s omnipresence and the threat of internment it credibly expresses, extends to XUAR’s population at large (e.g. Harris, R. and Isa 2018, 1). Moreover, it is not just mobilisation for the regime in general but, mindful of the educational content, a mobilisation for national unification and a range of socio-economic measures implemented in the region (Doyon 2019). Then, regardless of whether people mentally buy into the CCP mode of thinking, they nonetheless contribute to the realisation of these ideology-prescribed goals with their behaviour true to the functions of *practical ideology* (Klimeš 2018), thus aiding the CCP’s performance legitimacy with the larger public.<sup>851</sup>

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<sup>849</sup> For the distinction between deradicalisation and disengagement see II.2.4.2.

<sup>850</sup> (e.g. Buckley, C. 2018b; HRW 2018b, 37-42; Jiang, S. 2018; Shih 2018; Zenz 2018c, 12-13; Zhang, C. 2019b, 11).

<sup>851</sup> On a side note, notable in terms of my legitimacy interest is not only how the governmental narrative has framed the measures taken as justified and the measures it has taken as “in accordance with the law” (e.g. GlobalTimes 2018; “TEHR White Paper” 2019, V; Zakir 2018), fitting with a trend seen with all counter-terrorism measures so far



Notably, as explored by Adrian Zenz and Zhou Zunyou in several publications, the centres under discussion here are distinct from the related educational/vocational programmes for sentenced criminal offenders that are part of or at least related to criminal justice in the tradition of the “reform through labour’ (*laodong gaizao*)” concept (Zenz 2018c, 3-4).<sup>852</sup> They are extrajudicial, but still have two historical precedents: first, the “re-education through labour’ (*laojiao*)” system, established in 1957, an extrajudicial mechanism in the hands of public security agencies that commanded many dissidents and petty criminals into camps prior to its abolition in 2013 (Zenz 2018c, 3; 2018a); secondly, the “transformation through education’ (*jiaoyu zhuanhua*)” system which continues to entail the re-education of so-called “focus persons” (e.g. Falun Gong members – Zenz 2018c, 3-4; see 2018a). The reason these precedents, particularly the continued existence of the *jiaoyu zhuanhua* system outside of XUAR, are so important is because they situate both the practice of preventive extrajudicial internment for re-education and the content of that education within a broader systemic context. They illustrate that extraordinarily intense as the process may be in XUAR, the systematic combination of *demobilisation of dissent* with ideological education and mobilisation for the CCP is not unique. Rather, they still are – though certainly atrophied in comparison to the Mao years – functional aspects of the PRC as a *state-socialist system* (Zenz 2018c, 23) for which Beetham (2013, 157, 183) envisages the systematic obstruction and demobilisation of public dissent as a necessary survival mechanism (see Holbig 2013, 74-75). In that sense, it can be said that the general characteristic of a system constructed around the *reproduction* of the ideology that sustains it and around the *mobilisation of performative consent* has had an internally accepted logic and capacities that were transferred to and mobilised into the de-extremification effort as proposed at II.5.7.2. While not busying himself with Beetham’s Theory of the Legitimation of Power, it is precisely the point on both historic and contemporaneous parallels between the justificatory logic underpinning the de-extremification system and current CCP ideological positions as well as the systematic means to implement them which James Leibold makes:

The camps, especially their ambition to rewire people, reveal a familiar logic that has long defined the Chinese state’s relationship with its public: a paternalistic approach that pathologizes deviant thought and behavior, and then tries to forcefully transform them. The scale and pace of the government’s campaign in Xinjiang today may be extraordinary, but the practice and its methods are not. (Leibold 2018b)

What is furthermore noteworthy and important in terms of legitimacy is the indiscriminacy of the de-extremification effort compared to the more selective *jiaoyu zhuanhua* and the degree to which it is not just public dissent that is being suppressed. In departure from my genuine

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as much as with the CCP’s general thrust to “rule the country according to law” (Klimeš 2018, 425-428, 434; Zhou, Z. 2017, 7; 2018, 76-77), but how the CCP shows itself as the benevolent caretaker of the Uyghur minority’s fate in its provision of the care required to uproot extremism (e.g. Leibold 2018b; Zenz 2018c, 21).

<sup>852</sup> (see “PRC Counter-Terrorism Law (CLT)” 2015, Articles 29-30; “XUAR Implementing Measures” 2016, Articles 39, 41-42; Zhou, Z. 2016b, 12-13; 2017, 8, 11-12).

caution to use the term *indiscriminate* unless it really is warranted, I do find the de-extremification effort in XUAR to be indiscriminate for three reasons. One lies in the numbers, either judged by the facilities' sheer capacity, which Zenz (2018a) estimates at "up to 11.5% of the region's adult Uyghur and Kazakh population", or by actual internment figures, with one million being judged as "credible" for the period between March 2018 and August 2018 (Batke 2019).<sup>853</sup> While those numbers are cases in point of capacity, a Chinese security official quoted in Lipes (2018b) as saying "you can't uproot all the weeds hidden among the crops in the field one by one – you need to spray chemicals to kill them all, [...] re-educating these people is like spraying chemicals on the crops. That is why it is a general re-education, not limited to a few people" indicates that preventive blanket-coverage is indeed the intent (see e.g. Millward 2018; Zenz 2018c, 21). Moreover, leaked government documents and unofficial statements indicate the existence of mandatory local internment quotas.<sup>854</sup> Then, by indiscriminacy, I mean not so much the fact that every single Uyghur is interned. That is clearly not the case, although in combination with the campaigns, every single one has likely been educated in counter-extremism (e.g. Lipes 2018c; Roberts 2018, 250). Rather, indiscriminacy characterises the reversion of the presumption of innocence that emanates from the preventive classification of Uyghur citizens along their "trustworthiness" and accordant identification for different types of training,<sup>855</sup> or even just from the pure fact of the panoptical system of surveillance that covers XUAR today (Roberts 2018, 236, 245-251). While most observers regard the latter as a cause of concern, its relevance to my investigation lies in the productive potential in terms of the combination of what Beetham (2013, 157, 183) and Holbig (2011b, 169-170; 2013, 65, 74-75) refer to as the *demobilisation of dissent* with the *mobilisation of dissent*, and that is, by virtue of the indiscriminate coverage of surveillance, "education" and (preventive) de-extremification, potentially also all-encompassing.

#### **IV.9.7 Summary of surveillance, "education" and de-extremification (2014-2018)**

Over the 2014-2018 period, surveillance of XUAR's Uyghurs has become indiscriminate, intrusive and intense which, I have argued elsewhere, borders on a state of siege (Korte 2016c). But in excess of the power that derives from the state's passive surveillance and capacity to act upon that information (Roberts 2018), the single-most outstanding factor in XUAR's system is the human component of surveillance and education and how it interlocks with technology. The effect is what Beetham (2013, 157, 183) and Holbig (2011b, 169-170; 2013, 65, 74-75) call the *demobilisation of dissent* with thought management and the *mobilisation of performative consent* at both the individual and collective levels.

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<sup>853</sup> (see AI 2018b; Lipes 2018c; UNOHCHR 2018; Zenz 2018c, 21-22).

<sup>854</sup> (e.g. Buckley, C. 2018b; Famularo 2018, 68; HRW 2018b, 30; Lipes 2017c; Zenz 2018c, 2, 13-14).

<sup>855</sup> (AI 2018a, 17; Byler and Grose 2018; HRW 2018b, 3, 12, 27, 70; Millward 2018; Zenz 2018c, 12-13).

In terms of my legitimacy-interest in the counter-terrorism context, there are multiple ways in which what has happened in XUAR ties in with the CCP's larger self-legitimizing practices and narratives. The first aspect, which is so obvious that it was not in fact discussed much further in this subsection, is how surveillance and de-extremification by virtue of their preventive character contribute to performance on what Beetham calls the *general interest of security*. That point emerges from the official interpretation of the phase of quiet that has set on XUAR since 2016 (e.g. Zakir 2018; see Buckley, C. 2018a) or from what Zenz (2018c, 2, 12-14) describes as the publication of "transformation success rates" (see IV.9.6). The second and third aspects relate to how surveillance, "education" and de-extremification measures interlock not only to eliminate any signs of "extreme" thinking and behaviour and thus suppress a threat to the unitary and harmonious society at the ideational level (the *demobilisation of dissent*), but the instrumentalisation of that process for indoctrination and *mobilisation of performative consent*. The aspect of indoctrination is legitimacy-relevant in as much as it entails the dissemination of the ideological arguments, norms and performance goals that collectively underpin the CCP's power position as justified and (evaluable as) complying with the performance standards set forth in ideology,<sup>856</sup> i.e. *ideational governance* following Klimeš (2018) brought to perfection. Moreover, where that education or the combined compulsive power of surveillance with the threat of "education" effectuate behavioural alignments to the extent that subjects show themselves more Chinese than Uyghur, they contribute directly to the attainment of assimilation towards national unification as an ideology-contained performance goal<sup>857</sup> which, for instance, P. Meyer (2016a), Byler and Grose (2018) or Zenz (2018a), argue is the CCP's real motivation behind the entire effort (IV.9.4/9.6). In terms of means, this aspect epitomises the fusion of what I have modelled as actor-centric communicative and coercive counter-terrorism because the state's discursive power is underpinned by the latent coercive potential of internment and the system of surveillance that permanently engenders and maintains this potential. The third legitimacy-relevant aspect pertains to Beetham's third criterion of legitimate power: *performative consent* (see II.5.3, e.g. Beetham 2013, 15-16). That is regardless of whether indoctrination works to succeed in meeting the goals of what Klimeš calls *ideational governance*, i.e. the congruity of citizens' norms with the various aspects of power in such a way that they facilitate the voluntary expression of consent, which Beetham would doubt because of the *limits of self-closure* (Beetham 2013, 104-108; see II.5.3.5/5.7/5.8): The performance of "trainees" singing patriotic songs, taking part in flag-raising ceremonies and marching to the national anthem (IV.9.6, e.g. HRW 2018b, 37-42) resembles precisely Beetham's (2013, 90-97, 157, 179-190) notion of

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<sup>856</sup> (II.5.7.1, e.g. Holbig 2006 for the resurgence of ideology and its functions to that avail in the Xi era; Holbig 2013; see IV.8.4.1, e.g. Brown and Berzina-Cerenkova 2018).

<sup>857</sup> (IV.3.3.1, e.g. Zhu, Y. 2011; IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 333, 335-337; IV.10.2, e.g. Ma, R. 2010, 55; see Korte 2016c).

*performative consent* in *mobilisation mode* as that which prevails in *state-socialist systems*. These aspects demonstrate the legitimacy-relevance of authoritarian counter-terrorism, sidelining any capacity-based determinism.

There are several indications why and how those observations are systemically possible in the first place by virtue of the PRC's *state-socialist* nature. One is how re-education and social management have both practical precedent and doctrinal backup. At IV.9.6, I have drawn on Zenz (2018a; 2018c) and Zhou Zunyou (2016b; 2017) to show similarities between the ongoing de-extremification effort and the old *laojiao* and current *jiaoyu zhuanhua* systems. In terms of logical backup, beyond the familiar pattern of paternalism carved out by Leibold (2018b), the entire educational framework fits well with the CCP's larger development mission based on its self-proclaimed scientific knowledge-based vanguard function.<sup>858</sup> Moreover, the mobilisation of the larger population into counter-terrorism efforts in the course of the People's War against Terrorism is yet another shade of the Maoist notion of the "mass line" (IV.9.5, Zhang, C. 2019b) seen in national context in the course of the ideological campaigns kicked off by Xi Jinping in 2013 (Xi 2013b; 2013c; see e.g. Noesselt 2016, 37-38).

## IV.10 "Structural counter-terrorism"

### IV.10.1 Overview

What I have partly followed Schneckener (2006) in modelling as *structural counter-terrorism*, has played an important role in Chinese stabilisation efforts in XUAR over time. The focus has been on condition-centric measures with limited process-based measures in the system of territorially administered ethnic autonomy (IV.10.2.1). At II.3.5.2, I modelled condition-centric measures as alleviating factors of Gurr's *relative deprivation* (II.2.4.1) so as to ameliorate situations conducive to instrumentalisation by groups for recruitment and mobilisation for an ideology or cause (e.g. Crelinsten 2014, 9). China has consistently implemented policies focused on the economic situational component but only partly following what the terrorism literature knows as the *deprivation hypothesis* (II.3.5.2). Rather, the logic underpinning these is specific to CCP ideology: resolution of what the CCP has long considered "contradictions within the people" (e.g. "Opinions on #7" 1996, 30-31; see IV.3.2.2) through an ethnic policy bent on national unification and, closely connected, the acceleration of economic development.<sup>859</sup> Policies over time (IV.10.2.2: ethnic policy; IV.10.3: economic policy) largely pay tribute to continuity in terms of diagnosis, although there has been a development towards more assertiveness in pursuit of national unification since the late 1990s (IV.10.2.2, 10.3.1, e.g. Becquelin 2004) and its explicit integration with economic policy in the course of so-called "ethnic mingling" (IV.10.3.2, e.g. Leibold 2014b). Moreover, the justification and design of

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<sup>858</sup> Though with adaptations from the original Marxist-Leninist version (IV.3.3.1, 3.4.3, e.g. Holbig 2006; 2009; 2013, 68-72; 2015, 136-137).

<sup>859</sup> (IV.3.2, e.g. Kerr and Swinton 2008, 119-126; Seymour 2000, 183-184; Zang 2015, 22-25, 30, 151).

(economic) development policies on the ground exposes a generic orientation towards not only national unification and national economic development in general but towards strategic expansion to Central Asia (IV.10.3.1-2) and the sustainment of a certain type of colonialist relationship with XUAR (IV.10.3.1, e.g. Anand 2018). All three of these observations are legitimacy-relevant in and of themselves.

## IV.10.2 Ethnic policy

### IV.10.2.1 *Territorially administered autonomy as a process-based measure*<sup>860</sup>

Chinese politicians have maintained the position that TSE are not matters of ethnicity<sup>861</sup> but diagnosed the “struggle against ethnic separatism [as] precisely a concentrated expression of the class struggle under new historical conditions” (Wang, Lequan 1997b, 60; see IV.3.2.2) and accordingly hailed the implementation of the “correct policies towards nationalities”, e.g. via the system of autonomy, a bastion in the fight against TSE (Li, W. 2004, 336-337; Xinhua 2014k; see Famularo 2018, 40-41). That is in line with the larger acceleration of the amalgamation of sub-Chinese national constituencies and identities into the one Chinese nation (IV.3.2.1, e.g. Sharma 2016, 52). In theory, the Chinese system of territorially administered ethnic autonomy rights is ideally suited as a process-based measure of prevention in that it systematises access to political institutions, forestalling the need to pursue one’s goals violently outside of the system.<sup>862</sup> Under China’s Autonomy Law (1984), “regional national autonomy means that the minority nationalities, under unified State leadership, practise regional autonomy in areas where they live in concentrated communities and set up organs of self-government for the exercise of the power of autonomy” (Preamble). These are in turn granted a number of privileges, for instance, on the use and cultivation of minority languages (Art. 10), tax privileges (Art. 35) and family planning (Art. 44).<sup>863</sup> Minorities’ representation in administrative and legislative bodies is regulated by quotas (Sautman 1998, 98-99), and statistically, they are not generally underrepresented in those bodies.<sup>864</sup> In reality, there has been variation in their participation and representation between the different levels of governance and administration and inside the CCP.<sup>865</sup> As good as the system looks on paper, in practice, the preventive effects of process-based measures are commonly acknowledged as hampered by several issues: system-immanent checks and massive Han migration into the region, where the cadre-system is a third, simultaneously valuable and counter-productive factor (Korte 2016c).

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<sup>860</sup> This subsection is loosely based on two lectures at the Akademie für politische Bildung Tutzing in November 2015 (Korte 2015) and January 2016 (Korte 2016a) and on Korte (2016c).

<sup>861</sup> (e.g. Aisihaiti 1997, 30; Xi 2014d, 224; Xinhua 2002; 2009d; see e.g. Herd et al. 2008, 97).

<sup>862</sup> (II.3.5.2, e.g. Eyerman 1998, 151-154;; for ethnic groups specifically: Gleditsch and Polo 2016, 212).

<sup>863</sup> (see “Autonomy White Paper” 2005, III; “Ethnic Policy White Paper” 2009, 226-231; “Human Rights in Xinjiang” 2017, I; “Xinjiang White Paper” 2015, I).

<sup>864</sup> (“Human Rights in Xinjiang” 2017, I; “Autonomy White Paper” 2005, III; “Xinjiang White Paper” 2015, II).

<sup>865</sup> (e.g. Bovingdon 2004a, 29; 2004b, 130-131; Mackerras 2001, 290; Sautman 1998, 94-97, 117; Zang 2015, 128-130).

As Gladney (2004, 105-106), Ma Rong (2010, 52-54) and Zang (2015, 87-89) point out, in contrast to Mao's original promises, the stated rationale in CCP minority policy has since 1940 been autonomy, not self-determination (see Horowitz and Yu 2015, 455-457; Wu, Xiaohui 2014, 62-64). This manifests itself, for instance, in autonomous governments' reporting to the State Council as per Art. 15 of the Autonomy Law (1984) and requiring approval from higher levels of government if they wish to deviate in the implementation of their decisions and policies (Art. 20), with significant decision-making powers left to the national level (Bovingdon 2010, 48-49; Chaudhuri 2016, 67-68; Zang 2015, 91-97, 99). The system is itself considered to restrain the scope of autonomous governance into compliance with other political interests to the extent of being considered one "of faux-autonomy" that permits the pursuit of an overall assimilationist policy.<sup>866</sup> Moreover, there is also the XPCC as a powerful independent lever of control to implement policies decided by the State Council bypassing the autonomous governance structure (IV.4.3.3, e.g. Becquelin 2000, 78-79; Zhu, Y. and Blachford 2016).

The second caveat has been government-steered Han migration into the region paired with the strategic settlement, land reclamation and development activities of the XPCC (IV.4.3.3). XUAR's demographic composition has developed tremendously: Uyghurs, originally constituting 75.9% of the population in 1949, by 2000 only made up for 45.2%, whereas the Han population grew from 6.7% to 40.6% over the same period, with similar figures for 2008<sup>867</sup> and the capital Urumqi estimated 13% Han and 73% Uyghur in 2018 (Byler and Grose 2018). Steering migration has long been a strategic part of border management in Xinjiang as in other border and minority regions, even before the days of the CCP.<sup>868</sup> Scholars also point out that many have come voluntarily, attracted by the opportunities of industrial growth.<sup>869</sup> Yet, Han in-migration is typically understood as a cause of Uyghur ethnic resentment rather than a stabilising solution because of its strategic effect or what Bovingdon (2004b, 118) describes as the goal "to counterbalance the overwhelming political and demographic weight of the Uyghurs".<sup>870</sup> In the context of the Go West Strategy (*Xibu Dakaifa*, 2000-2009; IV.10.3.1) and the accompanying open discussion of *ningjuhua*, a process of ethnic homogenisation, the extent to which that migration was indeed a strategically intended part of Beijing's assimilationist ethnic policy in the region was revealed.<sup>871</sup>

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<sup>866</sup>(Moneyhon 2002, 145, see 137-142, 151-152; Bovingdon 2004a, 15-16; 2010, chapt. 2; Zang 2015, 28, 97-103, 106-108).

<sup>867</sup> (Wang, Yinghui 2011, 160; see Daly 2007, 3; Davis, A. 1996a, 418; Mackerras 2001, 292-293; Toops 2000, 159; 2004, 242, 246, 255; "Xinjiang White Paper" 2009, V).

<sup>868</sup> (Becquelin 2000; 2004; Chaudhuri 2016, 70-73; Gladney 2004, 112-113; Rudelson and Jankowiak 2004, 305-310; Seymour 2000; Zang 2015, 103-105; Zhu, Y. and Blachford 2016).

<sup>869</sup> (e.g. Bovingdon 2010, 56-57; Radnitz and Roberts 2013; Roberts 2004, 221-222; Toops 2004, 256-260; Zhao, T. 2010, 44; Zhu, Y. and Blachford 2012, 719-722).

<sup>870</sup> (see e.g. Bovingdon 2004a, iix-ix, 7, 23-28; 2004b, 118-120, 126-129; Campana 2015, 152-153; Chung 2006, 84-85; JID 1991; Mackerras 2001, 298-299; Millward 2004, 8; Sharma 2016, 54-55; Thum 2009; Wang, Yinghui 2011, 160; Zang 2015, 103-105).

<sup>871</sup> (Becquelin 2004, 358-359, 368, 372-374; Bovingdon 2010, 58; Chung 2006, 86; Kerr and Swinton 2008, 123-124).

A third element of central ethnicity-related policy in XUAR has been “training ethnic cadres” as an ideologically reliable bridgehead, a point raised by Jiang Zemin in 1990 (199024), and reiterated in Document #7 (1996, 2) and the accompanying Opinions (1996, 25) and by Hu Jintao in 2006 (46; see Benson 2004, 209-212; Wang, Q. 2016, 158). Rudelson and Jankowiak (2004, 309) argue that this practice “has successfully co-opted indigenous elites and stymied resistance movements”, but that is not a majority view. Bovingdon (2004a, 28-29), Mackerras (2001, 290), Sautman (1998, 94-97) and Zang (2015, 128-130) all caution of Uyghurs’ continued under-representation in the party. Chung (2006, 85) points out the unpopularity of and often disrespect for minority cadres in their own communities for they are seen turncoats serving the party rather than minority interests.<sup>872</sup> A similar impression emerges from Friedrichs’ (2017, 56) tracing of the approach to the “tactic of *yiyi zhiyi* [...], or ‘using barbarians to control barbarians’”, employed by the Han dynasty 2000 years ago. He argues that while it is less consciously applied today, it remains a means of control rather than concession. Those observations in mind, and considering their having gone through CCP ideological education, socialisation and vetting (Zang 2015, 101), they can barely be assumed to carry the defective potential of elites that is the baseline for elite co-optation following, e.g. Fjelde (2010, 198-202; see II.5.9.1). Nor are they representative enough of the minority group and its potentially deviant interests for their training and integration to qualify as a form of what I have modelled as process-based preventive policy (II.3.5.2), yet at least they are manpower that will not join the insurgency (Korte 2016c).

#### **IV.10.2.2      *From affirmative action to “ethnic mingling”<sup>873</sup>***

There have been a number of preferential policies for ethnic minorities in general and XUAR’s Uyghurs in particular, but here I consider affirmative action in the education sector and language policy as well as economic development (IV.10.3) the primary measures among those mentioned in various speeches and strategic documents (e.g. the “Opinions on #7” 1996). As for the former, minority education and particularly Mandarin competency have long been advanced as an indirect stabilisation measure because of better employability and expected positive contributions to interethnic understanding,<sup>874</sup> a stance formalised at national level in the Common Language Law of 2000 (Lundberg 2009, 405-406, 410-411). A second argument advanced more recently is that a lack of Mandarin command leads to linguistic segregation which in turn makes Uyghurs an easier target for foreign terrorist propaganda.<sup>875</sup> For several decades, minimum scores for university admission exams have been lowered for minority students and special funds earmarked to support them throughout the education

<sup>872</sup> (see Benson 2004, 211-212). Odgaard and Nielsen (2014, 547) raise the same argument for the small ethnic middle class that has profited from preferential policies.

<sup>873</sup> This subsection is loosely based on Korte (2015; 2016a; 2016c).

<sup>874</sup> (Ma, R. 2011; “Xinjiang White Paper” 2009, III; Xi Jinping cited in Zhang, Hong 2014; see Cappelletti 2015, 163-165; Daly 2007, 2; Leibold 2014b; Roberts 2018, 239-240; Wang, Jiaping 2014; Xinhua 2014a; Zenz 2017).

<sup>875</sup> (Nur Bekri cited in China Daily 2009b; Cui, J. 2009; see Gupta, S. and Veena 2016, 314; Klimeš 2018, 430).

system.<sup>876</sup> While the ideological component of education has long been emphasised in education (e.g. "Document #7" 1996, 4; "Opinions on #7" 1996, 39-40), what Klimeš calls *ideational governance* has truly come out in the 2000s in two aspects. One is how bilingual education has, in the course of the standardisation of the education system and with the phasing out of Uyghur in tertiary education since 2002, become a tool of cultural via linguistic education,<sup>877</sup> and since 2012-2014 openly and decidedly so.<sup>878</sup> A similar effect has been aimed for under the Xinjiang Class (*Xinjiang neidi gaozhong ban*) system where Uyghur students are sent to boarding schools in *Neidi* areas to receive language and political-ideological training, grooming a generation of CCP-loyal and patriotic ethnic leaders.<sup>879</sup> The bottom line is that these policies, in tackling "contradictions", double as TSE prevention and are consistent with the goals and means of ethnic policy geared towards national unification more broadly.

As indicated at IV.3.2.1, Mao (quoted in Sharma 2016, 52) had in 1957 declared "that 'the nationality question is basically a class question'". It had accordingly been treated along the dialectic logic of Historical Materialism, meaning that the presence of different ethnic characteristics would disappear in the course of common development.<sup>880</sup> After the brutally assimilationist Cultural Revolution and the official end of class struggle in 1978, the softer assimilationist notion of *ronghe* became guiding; this meant fostering a sort of cultural learning of the minorities from the Han whereby the latter took the lead by virtue of their paternalistic character and civilisational superiority.<sup>881</sup> That process was supported by a series of affirmative action measures that sought to establish "equality-in-fact" (Sautman 1998, 87-88) as part and parcel of joint development, ultimately facilitating assimilation.<sup>882</sup> As also mentioned, in the late 1990s a "two-tier-nationality" concept emerged that combined Chinese nationalism as the overarching framework with 56 subordinate ethnic identities (Qiu 2016, 44-45). Simultaneously, the idea of homogenisation became discussed more openly by Chinese scholars and politicians under the notion of *ningjuhua*,<sup>883</sup> but economic development was still considered the silver bullet to resolving the differences (Barabantseva 2008, 583-586).

Under the Fourth Leadership Generation (2002-2012), constructing a "socialist harmonious society" entailed the recognition of certain contradictions and social tensions accordingly

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<sup>876</sup> (e.g. Benson 2004, 208-209; Grose 2010, 100-101; Sautman 1998, 91-94; Wang, D. 1998, 8; "Xinjiang White Paper" 2009, III; Zenz 2017).

<sup>877</sup> (Becquelin 2004, 375-376; Dwyer 2005, 35-41; Grose 2010, 99-101; Gupta, S. and Veena 2016; Roberts 2018, 239-240; Smith Finley 2018, 11; Tohti 2015; Zenz 2017).

<sup>878</sup> (Klimeš 2018, 430; Leibold 2014b; Ma, R. 2011; Wang, Jiaping 2014).

<sup>879</sup> (Cappelletti 2015, 164-165; Cui, J. 2013; Grose 2010, 101-103; 2015; Ma, R. 2011, 66-68; Roberts 2018, 240). Note that Grose (2010; 2015) finds the Xinjiang Class to be counter-productive to that goal in fostering a sense of ethnic identity among Uyghur participants (see Singh 2010, 2-3).

<sup>880</sup> (e.g. Barabantseva 2008, 576-579; Moneyhon 2002, 134; Wang, Shuping 2004, 163; Zang 2015, 25).

<sup>881</sup> (Aslam and Yu 2016; He, B. 2004, 112-121; Sharma 2016; Wu, Xiaohui 2014; Zang 2015, 24-25, 150-151; cf. Kerr and Swinton 2008, 124-125 who deny the assimilationist character).

<sup>882</sup> (see Aslam and Yu 2016, 46, 52-53; Horowitz and Yu 2015, 457-458; Moneyhon 2002, 134; Wang, Shuping 2004, 163-165; Zang 2015, 44-52).

<sup>883</sup> (Becquelin 2004, 358-359, 368, 372-374; Bovingdon 2010, 58; Chung 2006, 86; Clarke, M. 2011, 152-154; Goodman 2004, 10-15; Kerr and Swinton 2008, 123-124).



tackled via differentiated policies (IV.3.3.1, e.g. Shambaugh 2008, 115-119), but the turn that minority policy took in that phase was actually driven by backlash from such variegated policies towards ethnic minorities. Specifically, concerns championed by scholars like Hu Angang, Hu Lianhe and Ma Rong were that special rights and prerogatives would not only hinder the anticipated cultural diffusion and homogenisation into one nation but actually reinforce the existing differences, enhance ethnic consciousness and strengthen ethnic elites, ultimately threatening a Soviet-style breakup.<sup>884</sup> Chinese professor of sociology Ma Rong (2010, 55), for instance, explains with respect to the autonomy system that “while the minorities resent this lack of ‘real’ autonomy, the central government considers this to be a basic guarantor of unification, which explains why the CCP has been very cautious about reforming this aspect of the political system.” These concerns intensified after the events of 2008/2009 in Tibet and Xinjiang (Sautman 2012, 10-13) and were paid tribute with the adoption of what Leibold (2012) follows Hu Angang in calling “a ‘second generation of ethnic policies’” that unswervingly focus on national unification.<sup>885</sup> First discussed in the context of the 2010 Tibet Work Forum, since XWF2 and the CCP Central Ethnic Work Conference in 2014, a now assertively homogenising set of policies has been pursued under the notion of “ethnic mingling” (*jiaorong* – Leibold 2012; 2014a; 2014b; 2018a). As far as pure ethnic policy is concerned, examples have been the withdrawal of special rights in family planning (Cao, S. 2017; Green 2017; Stratfor 2014b) or the abolition of lower scores on university entrance exams (Zenz 2017). Meanwhile, much of “ethnic mingling” has been fostered indirectly through economic policy (IV.10.3.2, e.g. Leibold 2014b; Xinhua 2014a).

#### **IV.10.2.3      *Interim conclusions on ethnic policy***<sup>886</sup>

The degree to which ethnic policy in XUAR really qualifies as either of what I have modelled as condition-centric or process-based means of what I follow Schneckener (2006) in calling *structural counter-terrorism* is defined and limited by the guiding rationales as well as implementation on the ground. The system of autonomy does not really work as a process-based measure, although it entails the institutionalisation of political participation for under-represented groups that may work to prevent or reduce violence through political-institutional inclusion (II.3.5.2, e.g. Gleditsch and Polo 2016). Its effectiveness in doing so is hamstrung by institutional hierarchies (e.g. Moneyhon 2002) and by the ideological grooming of ethnic cadres such that they are hardly representative of indigenous interests (e.g. Chung 2006, 85). It is also offset by strategic boundary-drawing and migration management (e.g. Bovingdon 2004b; all IV.10.2.1; see Korte 2016c). Condition-centric measures have been a long-standing and

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<sup>884</sup> (Leibold 2012; 2014a; 2016, 235-236; 2018a; Ma, R. 2010; 2011; Qiu 2016, 46-48; Sautman 2012, 11-13, 16-20; Warikoo 2010, 4; 2016, 161).

<sup>885</sup> (see Campana 2015; Klimeš 2018, 417-420; Leibold 2014b; 2016, 235-236; 2018a; Wang, Jiaping 2014; Zenz 2017).

<sup>886</sup> This subsection is loosely based on Korte (2015; 2016a; 2016c).

more credible part of CCP policy in the region with various preferential policies, especially in the education and language sector. Yet the original embedment of TSE within the notions of “class struggle” (Mao quoted in Sharma 2016, 52) and later for national unification (e.g. Hu, J. 2010, 57) continues to define the underlying rationale of such preferential policies as their being geared towards assimilation and unification; only the assertiveness of that pursuit has changed (e.g. Becquelin 2004; Leibold 2014b; IV.10.2.2). It is in this light that preferential policies expose themselves as instrumental to the realisation of stabilisation, development and national unification as ideologically contained performance goals (see IV.3.3, e.g. Zhu, Y. 2011) rather than as based on recognition of indigenous identity and associated interests as truly equal interests worthy of protection and requiring political-institutional representation. However, in as much as these measures do tackle conditions considered conducive to TSE, they are still condition-centric counter-terrorism measures in the sense I model them. Yet, and this answers the question of policies’ connection to the system’s legitimacy (re)sources, the very nature and the degree to which the CCP has explicitly pointed to homogenisation and assimilation as policy goals indicate that the primary reason for their pursuit is realising ideological performance goals. Ideology thus emerges as a driver of policy preference as envisaged at II.5.7.2. As for the lack of conceding any real political-institutional representation, the discussion of its potential leading to a Soviet-style breakup among Chinese scholars (IV.10.2.2, e.g. Leibold 2014b; 2015; Ma, R. 2010; 2011) indicates that this is not a matter of co-optive potential as I had proposed (II.5.9.3) but a matter of unwillingness. With Ma Rong (2010, 55; IV.10.2), it is not just strategic fears of disintegration but the theme of national unification as a performance goal in CCP ideology which logically accounts for that. The centrality of national unification as an ideologically contained performance goal (IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135; see Korte 2016c), equally important under Xi’s “Chinese Dream” and the construction of China as a “spiritual civilization” (IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 333, 335-337; Purbrick 2017, 252) explains the seriousness with which the CCP views ethnic conflict (e.g. Leibold 2016, 234-235; IV.3.4.3).

### **IV.10.3 Economic development**

#### **IV.10.3.1 *Double Opening, Great Western and Leapfrog Development (1990-2013)***

Over the entire period analysed, Beijing fostered socio-economic development in XUAR. This was inter alia based on the diagnosis that “many of the ethnic and religious issues currently present in society are contradictions within the people”, the logical corollary of which was “to persist in placing economic construction at the center, deepen the reforms, widen the scope of opening to the outside, and accelerate economic construction.”<sup>887</sup> At the same time, these policies emerge as parts of the CCP’s larger legitimating missions (economic performance, preservation of sovereignty and national unification; see IV.3.3.1, e.g. Zhao, D. 2009; Zhu, Y.

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<sup>887</sup> (“Opinions on #7” 1996, 30-31, 44; see IV.3.2, e.g. Kerr and Swinton 2008, 119-126; Zang 2015, 22-25, 30, 151).

2011) and as standing in the traditions of frontier governance according to a rationale often described as “imperial” (e.g. Becquelin 2000, 67-70), “internal colonialism” or “colonialist” (e.g. Anand 2018; Gladney 1998). That does not stand in the way of understanding socio-economic development as a form of condition-centric *structural* counter-terrorism. Indeed it is very much in the nature of what Schneckener (2006, 218, auth. transl.) proposes under “socio-economic and societal modernisation” and Crelinsten (2014, 9-10) subsumes under “the development model” and “the human security model” for such measures to be broader than just counter-terrorism.

In the Reform Era, XUAR had become subject of the policy of Double Opening towards Central Asia on the one hand and Central China on the other.<sup>888</sup> Key areas of investment throughout the 1980s and 1990s were the construction of the necessary infrastructure (airports, railways, highways) for moving goods and people inside and in and out of Xinjiang<sup>889</sup> and for the industrial exploitation of oil.<sup>890</sup> Guiding policy rationales were catering to the growing energy demand in the Eastern provinces through exploitation of XUAR’s resources and import from Central Asia<sup>891</sup> and, to a certain extent, the extension of control over the region logistically and psychologically, not least by bringing in a Han work force.<sup>892</sup> Poverty alleviation was generally cited as a TSE-prevention objective via the link of accelerating the class struggle (e.g. “Document #7” 1996, 1; see AI 1997). Special focus points and preferential policies such as special economic zones or the adoption of preferential trade policies seemed suited to push forward on that objective (Becquelin 2000, 71-72; Harris, C. 1993, 123-124). However, as Becquelin (2000, 80-83), Bovington (2004a, 39-40) and M. Clarke (2011, 126-127) discuss, the expansion of XUAR’s cotton and oil industries in the 1990s did little to benefit local Uyghurs and in many ways – e.g. in connection with Han work migration - reinforced interethnic disparities and grievances. Moreover, those policies rendered XUAR’s economy exceptionally dependent on the centre (Clarke, M. 2011, chapt. 5-6; Wiemer 2004, 163, 174-177).

Between March and August 1999, Jiang Zemin and Zhu Rongji gradually revealed plans for the Great Western Development programme (*Xibu dakaiifa*, GWD) to start in 2000 (Goodman 2004, 3-4; Holbig 2004, 27-28; Wang, Jianming 2016, 149). It was described as a comprehensive not very specific set of plans to develop China’s western regions, after they had played second fiddle to development on the eastern seaboard in the previous two

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<sup>888</sup> (“Document #7” 1996; Clarke, M. 2007, 61-62; 2008, 277-278; 2015, 136; Roberts 2004; Wiemer 2004, 170-172, 181-188).

<sup>889</sup> (e.g. Becquelin 2000, 74; Clarke, M. 2007, 53-54; Warikoo 2010, 5-12).

<sup>890</sup> (Becquelin 2000, 80; 2004, 360; Clarke, M. 2007, 70-71; Roberts 2016, 31; Tu 2016, 242-245; Wiemer 2004, 173-177).

<sup>891</sup> (Becquelin 2000, 65; Clarke, M. 2007, 60-61, 71-73; Gladney 2004, 115-116; Korte 2016c; Roberts 2016, 31; Tukmadiyeva 2013, 97-98; Van Wie Davis 2008, 24-25).

<sup>892</sup> (Becquelin 2000; 2004; Chung 2006, 85-86; Clarke, M. 2007, 53-54. 63; 2011, chapt. 5-6; Rudelson and Jankowiak 2004, 308-311; Shichor 2005, 133).

decades.<sup>893</sup> While countering XUAR terrorism may not have been the top-priority, the strategy did tie in previously proposed solutions with said larger political development interests (Herd et al. 2008, 98-99; Holbig 2004, 35). Although the connection between accelerating economic development and nation-building was not new (Seymour 2000, 183-184), in the GWD context, Becquelin (2004), M. Clarke (2011, 152-154), Goodman (2004, 10-15), Holbig (2004, 42) and Kerr and Swinton (2008, 123-135) particularly carve out the intended positive effects of economic and infrastructural integration on building the Chinese nation, forged by expanding the centre's infrastructural reach, inter alia through the exchange of people, now openly discussed under the notion of *ningjuhua*. Indeed, the GWD was impressive on several outcome indicators. According to China's Statistical Yearbooks for 1999, 2004 and 2009, Xinjiang's GDP almost quadrupled over that period (NBS *n.d.A*; *n.d.B*; *n.d.C*; see CQCD 2011a, 494; Wang, Jianming 2016). In terms of infrastructure, the Qinghai-Tibet railway was completed in 2006, the West-to-East natural gas pipeline was still under construction in 2008, and another pipeline connecting Xinjiang to Kazakhstan, Uzbekistan and Turkmenistan opened in 2009 (Kerr and Swinton 2008, 121; Warikoo 2010, 18-19; Van Wie Davis 2008, 19). Section I of the 2009 Xinjiang White Paper lists these and many other achievements, sections II and III speak of "remarkable improvement in People's lives", referring to a range of positively developing consumption indices, housing conditions, education and employment opportunities and social and medical care. The results cited are no doubt positive and remarkable (e.g. Cappelletti 2015) but do not convey the persistent extent of, for instance, income disparities between Han and Uyghurs, North and South and rural and urban households (Becquelin 2004, 372; Bhatthacharji 2012; Kerr and Swinton 2008, 122), disparities in health as well as access to healthcare (Cappelletti 2015, 157-162) or socio-ethnic stratification in the labour market.<sup>894</sup> Those combine to form multiple layers of social inclusion and exclusion (Cliff 2016, 126-131; Odgaard and Nielsen 2014, 547). This is by no means the result of strategic discrimination by policy design but rather a corollary of "the logic of the free market economy" according to which the strategy was implemented (Zhu, Y. and Blachford 2012, 731).<sup>895</sup> Observers<sup>896</sup> point out that exploitative and strategic interests in the region and the colonialist model of security through infrastructural integration, dependence and population management weighed heavier than the improvement of individual livelihoods although these intersected with what Trédaniel and Lee (2018, 182-183) call the "developmentalist ideology" that sees common development as the silver bullet to stabilisation and unification. In that sense, the goals and means of the GWD

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<sup>893</sup>(Cui, S. and Li 2011, 151; Goodman 2004, 3-6; Holbig 2004, 21-33; Kerr and Swinton 2008, 120-121; Palmer 2011).

<sup>894</sup> (Harlan 2016; Hasmath 2018, 6-9; Wu, Xiaogang and Song 2013; Zhu, Y. and Blachford 2012).

<sup>895</sup> (see Chung 2006, 85-86; Cliff 2016; Harlan 2016; Hasmath 2018, 9-10; Ma, R. 2010, 55; Radnitz and Roberts 2013).

<sup>896</sup> (e.g. Becquelin 2004; Clarke, M. 2011, 150-155; Dreyer 2005, 75; Kerr and Swinton 2008, 120-126; Moneyhon 2002, 147-148; Roberts 2016, 31-40; Schrei 2002; Trédaniel and Lee 2018, 182-183; Tukmadiyeva 2013; Warikoo 2016, 180-181; Van Wie Davis 2008, 19-20, 24-25).

were, save for the scale of investments and the new rhetorical openness on assimilationist aspirations, largely consistent with the earlier policy of Double Opening (Becquelin 2004, 360). At IV.6.3, I argued that Urumqi 2009 was not a turning point in coercive policy. Although the events were something of a wakening moment for public consciousness (Qiu 2016, 42; Warikoo 2016, 176, 178), their impact on the pursuit of what I have followed Schneckener in calling *structural counter-terrorism* in XUAR was only one of raised consciousness. This is seen from the fact of the convention of a Central Work Conference attended by the entire Politburo Standing Committee in May 2010 (XWF1, see CQCD 2010b, 783). It was not a moment of dramatic policy change, merely a new round of development initiatives referred to as “Leapfrog Development” (*kuayueshi fazhang*) (CQCD 2010b, 783; 2011a, 470, 494-495; JIR 2011, 55; Xinhua 2010a). The continuity in problem diagnosis and the proposed solution according to what Trédaniel and Lee (2018, 182-183) call the “developmentalist ideology” transpires from a statement by Wang Lequan in the immediate aftermath of the riots (CQCD 2009a, 1137, citing Xinhua, 25 August 2009) as well as from one by Hu Jintao at XWF1 (2010, 53, 58-60), where again “social stability” emerged both as an ends and as a “prerequisite for development and progress” (58).<sup>897</sup> As far as socio-economic development was concerned, XWF1 defined the goal of raising XUAR’s GDP from roughly 79% of the national average across indicators to the level of national GDP per capita average by 2015 and develop XUAR into “a ‘moderately prosperous society’” by 2020.<sup>898</sup> If one actively looks for signs of policy change, these can, to a certain extent, be found in the emphasis put on “Xinjiang’s ability for self-development” (Hu, J. 2010, 60), for instance, implemented through the introduction of a new 5% resource tax on crude oil and gas that could be reinvested locally (JIR 2012, 15; Tu 2016, 28; Warikoo 2016, 181, 183). Infrastructural and economic integration were further promoted according to the same rationale, inter alia kicking off a programme of ten-year partnering agreements (*duikou*) between local XUAR governments at the (sub-)prefectural level and *Neidi* provinces whereby *Neidi* partners broker capital investment from their region into XUAR and personnel exchange for training.<sup>899</sup>

Again, observers have highlighted colonialist elements: In pointing out the region’s backwardness, the CCP has justified its stepping in as a developing agent while retaining such degrees of infrastructural, social and financial dependence of the periphery as to sustain that very relationship model.<sup>900</sup> The rationale these scholars usually cite to explain Beijing’s interest in sustaining that particular type of control over XUAR is strategic, i.e. exploiting XUAR’s resources, its strategic location vis-à-vis Central Asia and upholding territorial integrity in

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<sup>897</sup> (see Horowitz and Yu 2015, 470-472). Here, Cliff (2012, 90-91) points to the co-dependence of two concepts of stability and development in the CCP’s legitimation narrative.

<sup>898</sup> (Hu, J. 2010, 54-55, 58-59; see AI 2010, 10, 27; CQCD 2010b, 783; Xinhua 2010b).

<sup>899</sup> (Cliff 2012, 98-100; 2016, 125-126; JIR 2011, 55; 2012, 15; Pantucci 2015; Rippa 2017, 11; Roberts 2016, 40-44; Schwarck 2013; Warikoo 2016, 182-183).

<sup>900</sup> (e.g. Anand 2018; Cliff 2012, 104-105; Warikoo 2016, 180-184; Zhang, Xiaoling et al. 2018).

general.<sup>901</sup> Yet there is more to be seen. Cliff (2016, 142-144), Zhang Xiaoling et al. (2018, 794-797) and Anand (2018) carve out how the official narrative portrays XUAR's Uyghurs as moved by a deep sense of indebtedness and gratitude, which Anand (2018) and Zhang Xiaoling et al. (2018, 799-800) see primarily as part of a framing effort for the centre's paternalist engagement. However, a point that should catch the eye is how the CCP's continued role as a developing agent for XUAR replicates precisely its larger self-representation as a vanguard of modernisation. As Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3) shows, this has been highly effective in if not dependent on the portrayal of crises via whose resolution it can confirm the *rightful source of its authority* (developmental competency) and *due performance* on development goals enshrined in CCP ideology (see II.5.7.1, Beetham 2013, 155-156, 181-182). In the Xinjiang context, this is regularly proven through co-references between what has already been achieved and what is yet to be done in official narrative and propaganda.<sup>902</sup> This is more than the justification of colonialist practices as argued by Anand (2018), who sees nation-statism as having replaced socialist ideology. Rather, sharing the impression of, e.g. Holbig (2013), that ideology continues to be an important legitimacy (re)source in China, nurturing the colonialist model is seen as another dimension of the XUAR conflict and its resolution (or maintenance) being woven into the CCP's larger legitimization pattern.

#### **IV.10.3.2 “Ethnic Mingling” and OBOR (2013-2018)**

The Second Xinjiang Work Forum (XWF2), held in May 2014, marked a turn in Beijing's Xinjiang policy in that social stability maintenance was uplifted to have the same significance as economic development on the policy agenda.<sup>903</sup> Economic development became supplemented by ethnically integrative components that paid tribute to the goal of “ethnic mingling”, and the material and spiritual components of “civilizational construction” (Brown and Berzina-Cerenkova 2018) were combined more emphatically rather than adhering to the expectation that the former would somehow lead to the latter.<sup>904</sup> As far as the integration of ethnic with development policy is concerned, examples include the following: A 25% ethnic minority hiring quota was introduced for state enterprises on 31 May 2014, labour migration encouraged to integrate minority ethnics into the labour market and – as per usual – the necessity to improve minorities' education and Mandarin skills to improve their job prospects emphasised.<sup>905</sup> The hiring spree that sustained the expansion of XUAR's security apparatus from 2014 also benefitted minority members' job prospects, although security rationales

<sup>901</sup> (e.g. Anand 2018; Clarke, M. 2016b; Tukmadiyeva 2013; Warikoo 2016, 180-184; Zhang, Xiaoling et al. 2018; see Korte 2016c).

<sup>902</sup> (e.g. “Tianshan Testimonial” 2012, 85; Xinhua 2010b; “Xinjiang White Paper” 2009, I-III; 2015, III-IV; see e.g. Hillman, B. 2016, 4; Zhang, Xiaoling et al. 2018, 800).

<sup>903</sup> (Batke 2018; Klimesš 2018, 417-421; Xinhua 2014a; Yang, J. 2014).

<sup>904</sup> (e.g. Leibold 2014a; 2014b; 2015; Wang, Jiaping 2014; Xinhua 2014a; Yang, J. 2014).

<sup>905</sup> (e.g. Chan 2014; Leibold 2014b; Wang, Jiaping 2014; Xinhua 2014a).

probably prevailed.<sup>906</sup> Other examples of the combination of ethnic management, modernisation and developing rationales have been seen in urban modernisation projects, although these had already begun prior to XWF 2. A famous case is the old town of Kashgar, where 85% of the traditional mud-and-brick houses were torn down and residents offered free relocation into new apartment buildings on the city's edge (Campana 2015, 153-154), similarly the case of Urumqi's Heijashan and Yamalikeshan districts (Byler and Grose 2018; CQCD 2011b, 772-773; Global Times 2010). The view that this was a pure social remodelling effort (e.g. UNPO 2011a; 2011b) is one-sided, but these projects do mark the convenient combination of several policy rationales.<sup>907</sup>

Meanwhile, economic development via improved employment opportunities, infrastructural and industrial construction components and the construction of free-trade zones was still reiterated at XWF2 (e.g. Rajagopalan 2014b; Xinhua 2014a), now in the framework of the New Silk Road Initiative (One Belt, One Road, OBOR or *yidai yilu*) that Xi had begun to float in September 2013 (Xinhua 2013a; see Klimeš 2018, 418). Starting with economic cooperation and trade, OBOR has developed into a gargantuan set of moving targets that defy classification in terms of single policy areas. Their common denominators are fluidity and connectivity in the tangible as well as intangible realms, connectivity that is hailed as a stepping-stone to project Chinese influence in Central Asia and into the world (e.g. Callahan 2016, 227-228; Clarke, M. 2016a; 2016b; Pantucci 2019). As for the tangible part, two keys have been the setting up of special economic zones and, once more, infrastructural development, where the state promised investments in the range of one trillion USD covering inter alia the China Pakistan Economic Corridor of 3,000 km of rail, road and energy development projects.<sup>908</sup> While observers<sup>909</sup> point to many similarities with the GWD in terms of strategic thinking and some of the policies implemented in XUAR, two differences are noteworthy. One lies in OBOR's outward-orientation, both in terms of its foreign policy outlook (balancing US-influence in the region while expanding own great-power status) and the way in which it connects XUAR to Central Asia such that the region's development is instrumental to a strategic push into that direction rather than a development goal in its own right.<sup>910</sup> Though combating TSE is not directly linked to emancipation as a global player – in the 2000s considered as playing back into domestic legitimacy (IV.3.2, e.g. Gupta, R. 2012, 806-807; Holbig 2010, 244-248) – the region now contributes to that external dimension in its strategic position; that may explain Beijing's grown nervousness and emphasis on social stability in the

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<sup>906</sup> (Zenz and Leibold 2017a; see Zhu, Y. and Blachford 2012, 727 for the same argument in the post-2009 phase).

<sup>907</sup> (Campana 2015, 153-154; Leibold 2014a; 2014b; Meyer, P. 2016b; Roberts 2016, 35-36; Warikoo 2016, 183).

<sup>908</sup> (Clarke, M. 2017b; CPEC 2019; Hillman, J. 2018; Kynge 2016; Mackerras 2015; Muzalevsky 2016; Pantucci 2015; Rippa 2017, 12-13).

<sup>909</sup> (e.g. Clarke, M. 2016a, 304; Lams 2018, 397; Pantucci 2019, 1, 3; Rippa 2017).

<sup>910</sup> (e.g. Clarke, M. 2016b; Korte 2016c; Mackerras 2015; Pantucci 2015; Rippa 2017; Roberts 2016, 50; Stratfor 2013b; Tukmadiyeva 2013, 95-96; Wang, Jisi 2014; Warikoo 2016, 187-188).

years after OBOR's announcement, indicating that despite the apparent premium on social stability, the quest for security is actually second to higher-ranking development goals.<sup>911</sup> A related observation is that the anticipated infrastructure no longer links China to Xinjiang but China to Central Asia *through* Xinjiang, which Rippa (2017, 16-18) describes as the discursive centralisation of places geographically located and formerly considered as China's periphery, emanating from such descriptions of XUAR as a strategic "core region".<sup>912</sup> Thus, despite the region's insinuated centrality to the strategy, it is the centrality of an instrument or path. Again, the de-escalation of the tense interethnic situation, XUAR's socio-economic development and infrastructural integration are but three among several penultimate strategic goals, all aligned towards a higher-ranking policy goal, in the OBOR-through-XUAR case the westward expansion of China's influence, itself in turn part of and subordinate to Xi's vision of the Chinese Dream (Callahan 2016; Lams 2018, 397; Roberts 2016). Meanwhile, justification and framing of the developmental mission in line with the larger pattern of ideological self-legitimation have, based on observations made in Anand (2018) and Zhang Xiaoling et al. (2018; see IV.10.3.1), remained constant.

#### **IV.10.3.3      *Interim conclusions on economic development***

At a conceptual level, the pursuit of economic development in XUAR – having been a constant in its citation in the context of stabilisation – qualifies as a condition-centric strategy of what I have partly followed Schneckener in modelling as *structural counter-terrorism*. They largely resemble the modes of what he (2006, 218, auth. transl.) calls "socio-economic and societal modernisation" and what Crelinsten (2014, 9-10) subsumes under "the development model" and "the human security model" (II.3.5.2). That is even though the unswerving focus on industrial productivity and energy exploitation had – whether intended or not – contrary effects on the ground that combined into multiple layers of inclusion and exclusion, more conducive to than capable of alleviating factors of what Gurr has coined as *relative deprivation* (IV.10.3.1, e.g. Cliff 2016, 126-131; see II.2.4.1). It transpires that although development has been hailed as a solution to "contradictions within the people" ("Opinions on #7" 1996, 30-31; see Hu, J. 2006; 2010), actually solving them was not the single-most important objective of socio-economic development policy in XUAR. It is not just that the "developmentalist ideology" fits the general pattern of CCP ideology and governance.<sup>913</sup> Rather, the maintenance of a relationship of dependency and infrastructural control characterised as colonialist (e.g. Anand 2018; Gladney 1998; Zhang, Xiaoling et al. 2018) is found consistent with the CCP's larger

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<sup>911</sup>(Klimeš 2018, 418; Mackerras 2015, 39-40; Roberts 2016, 50; Simigh 2017, 52; Zenz and Leibold 2017a; also in Korte 2015; 2016a). Also important in that context are still the region's fossil fuels: In 2016, XUAR was estimated to hold the largest national reserves in coal (47.4%), oil (30%) and natural gas, with significant renewable energy potential (water and wind) (Tu 2016; see Duan et al. 2016; Wong 2014).

<sup>912</sup> (Zenz and Leibold 2017a quoting from Xinhua, 4 June 2015; Xinhua 2018a; see "OBOR Transport Construction Plan" 2017; Warikoo 2016, 187-188).

<sup>913</sup> (Trédaniel and Lee 2018, 182-183; see IV.3.2, e.g. Kerr and Swinton 2008, 119-120; Zang 2015, 22-25, 30, 151).



theme of self-portrayal as a modernising agent who derives legitimacy from its developmental competency against the backdrop of persistent struggles, as argued by Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3). Meanwhile, development policy in XUAR has across time also been devised to aid CCP legitimacy in three other ways: (i) energy exploitation towards economic growth, (ii) infrastructural integration with China and central Asia to that same end (e.g. Tukmadiyeva 2013, 97-99) as much as for strategic reasons (e.g. Callahan 2016) and (iii) national unification via joint development and migration in the 1990s and 2000s (IV.10.3.1, e.g. Becquelin 2004; Seymour 2000) and since 2014 re-emphasised assimilationist policies in the labour market (IV.10.3.2, e.g. Leibold 2014b). The first two are *general interests* in Beetham's sense and can thus also be accommodated by a general desire to maximise performance legitimacy. However, the stronger explanation for the particular combination, development and framing of measures lies with the content of CCP ideology.

#### IV.10.4 Summary on “structural counter-terrorism”

Wrapping up my analysis of China's ethnic and economic development policy in XUAR, policy on the ground is seen to contain aspects of both what I have modelled as condition-centric and process-based measures. Process-based measures in the sense of institutionalising the political influence of under-represented groups so as to reduce the incentives for extra-institutional and violent pursuit of their interests (II.3.5.2) have been very limited. The formal system of autonomy is hamstrung by institutional hierarchies (e.g. Moneyhon 2002), its effects are offset by strategic boundary-drawing and migration management (e.g. Bovingdon 2004b), and quotas for minority representatives in the political-administrative system are prevented from constituting any real integration of deviant opinions since these cadres can only rise through the nomenklatura system so that they can barely be considered true minority representatives (Chung 2006, 85; all IV.10.2.1; see Korte 2016c). As far as my legitimacy-interest is concerned, the emerging explanation is not one of a lack of capacity but of a lack of willingness. That is due to the centrality of national unification as an ideologically contained performance goal.<sup>914</sup> This has once more been central under Xi's slogan of the “Chinese Dream” and the construction of China as a “spiritual civilization”<sup>915</sup>, which explains the seriousness with which Beijing understands ethnic consciousness and its potential organisation into coherent representation as a threat (Leibold 2016, 234-235; Ma, R. 2010; 2011; Sautman 2012). Accordingly, the intensification of assimilationist measures, most significantly the notion of “ethnic mingling” since 2014 (e.g. Leibold 2014b; all IV.10.2.2), goes beyond the XUAR-TSE context.

As far as (socio-)economic development policy is concerned, the strategies implemented and accompanying narrative indicate that these are not only driven by their diagnosis as rooted in

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<sup>914</sup> (IV.10.2, e.g. Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135; see Korte 2016c).

<sup>915</sup> (IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 333, 335-337; Purbrick 2017, 252).

“contradictions within the people” (“Opinions on #7” 1996) – the Chinese approximation to the terrorism literature’s *deprivation hypothesis* – and the accordant application of the CCP’s general “developmentalist ideology” that sees development as the silver bullet.<sup>916</sup> Rather, these policies have simultaneously catered to higher-ranking performance goals. Some of these are generic in Beetham’s sense in their pertaining to economic growth as a *general interest* – energy exploitation, infrastructural integration inwards and strategic connection to the Central Asian markets (e.g. Tukmadiyeva 2013). The colonising rationale noted in practice (e.g. Anand 2018; Becquelin 2000, 67-70; Gladney 1998) as much as in the narrative (Anand 2018; Zhang, Xiaoling et al. 2018), by contrast, fits better with the CCP’s larger ideological self-representation: As Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3) explores, in its role as a modernising agent the party relies on the continued exploitation and framing of a struggle, in this case the maintenance of XUAR’s dependence, backwardness and instability (e.g. Barbour and Jones 2013; Zhang, Xiaoling et al. 2018). Finally, at the intersection of generic and ideologically contained *general interests* as performance goals, lie the expansion of Beijing’s power into Central Asia, most explicitly in the course of OBOR (Callahan 2016; Lams 2018, 397) and economic development which continues to play an important role in the notion of the “moderately prosperous society” (e.g. Brown and Berzina-Cerenkova 2018). Summarily, the pursuit of a specific set of condition-centric measures and reluctance towards process-based ones in the field of ethnic and socio-economic development policy emerge as conditioned by the pursuit of what Beetham calls *general interests* including but exceeding that of security and by the core logic and primary performance goals of CCP ideology.

## IV.11 Case Summary

### IV.11.1 The overall pattern<sup>917</sup>

For a long time, little was known about the ethno-separatist attacks committed in XUAR in the 1990s. Many also have doubted the truth of governmental claims as to its global jihadist dimensions in the 2000s, and ETIM’s or TIP’s capabilities and the dimensions of their attacks are not the high-intensity mass-casualty type seen on 9/11. Nonetheless, these activities have at least since 1990 conformed with my definition of terrorism. They involved the tactical use of violence or its threat against civilians for the purpose of communication, originated from domestic sub-state actors in pursuit of political goals (II.2.1, see IV.2.3, e.g. Davis, A. 1996a, 420-421) and can by 2014 be considered to have fused local ethno-separatist and Jihadist ambitions (II.2.5, e.g. Clarke, M. 2015, 133-135). China is an ideal case for studying the legitimacy-relevance of counter-terrorism in a system that relies on ideology for legitimation. Beijing has from the very beginning seen terrorism as a tactic embedded in precisely those broader ideological issues (ethno-separatism and religious extremism) captured by the TSE

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<sup>916</sup> (Trédaniel and Lee 2018, 182-183; IV.10.3, see IV.3.2.1, e.g. Kerr and Swinton 2008, 119-120; Zang 2015, 22-25, 30, 151).

<sup>917</sup> This subsection is partly based on Korte (2016c) and distantly on Korte (2015; 2016a).

terminology and accordingly zoomed out from the start to tackle those issues (IV.3.2.1, e.g. Wang, Lequan 1997b, 56; see Korte 2018a). Especially the threat narrative demonstrates full awareness of the ideational level character of the threat to several core tenets of ideology, changing over time. In their design and justification, counter-measures have always reflected the ideological developments and policy priorities of the respective period. This has been to the extent that they have not only tied in with larger legitimation patterns but sometimes evoked the impression that countering TSE has been designed to truly reconstitute legitimacy in a number of ways.

The main development of threat perception and accordant policy has been within the triad, i.e. from the core concern being ethno-separatism in the 1990s to being religious extremism in the 2000s and markedly becoming the overwhelming concern since 2014 (IV.3.4.2, e.g. Klimeš 2018, 420-421). Correspondingly, the government has always used the breadth of its governance apparatus to counter that broad threat. Yet, in recent years it has mobilised its arsenal into not only dismantling this threat but to turn XUAR and its citizens from one of what Holbig and Gilley (2010, 399) call the “pockets of legitimation failure” into a locus of condensed struggle, ideational work and the mobilisation of what Beetham calls *performative consent*.

Four findings with respect to the capacitating or constraining influence of legitimacy resources emerge. First, counter-terrorism appears as a legitimacy-driven necessity that derives from the requirement of catering to what Beetham calls *general interests* – those he considers generic (security and welfare) and those specific to ideology (economic development and national unification; Korte 2018a). Secondly, ideology is omnipresent in counter-terrorism as a source of vulnerabilities but also as a resource, both in its content and in terms of the systemic characteristics that come with reliance on it for legitimation. At the content level, ideology raises vulnerability where its core tenets are challenged. Yet, it is also an asset in problem diagnosis and in framing counter-terrorism efforts such that they are conducive to legitimation – on the subject of counter-terrorism, on its contribution to performance on other interests and on various sideshows (e.g. external representation or rule of law compliance). Particularly the performance-framing component is consistent with propositions as to ideology’s role in general and in China particularly (e.g. Holbig and Gilley 2010, 396, 399-400; see II.5.7.1). At the systemic level, what Beetham calls *mobilisation mode* contains vulnerability to open dissent but also the existence of a toolbox for its demobilisation and counter-mobilisation. Then, the combination of CCP ideology’s content and systemic reliance on it seem to favour indoctrination over deliberation in terms of ideas and over the systematic accommodation of potential challengers, again tying in with theoretical propositions and observations on China raised by Beetham (2013, 157, 183) and Holbig (2011b, 169-170; 2013, 74-75). This corresponds to an observed lack of both responsiveness and co-optation. Fourth and related, governmental discursive power is found an asset in communicative counter-terrorism and

counter-terrorist mobilisation, but an asset that is XUAR-specifically expanded in reference to counter-terrorism needs.

#### IV.11.2 The breadth of an authoritarian counter-terrorism strategy<sup>918</sup>

Beijing has always deployed an *expanded criminal justice* approach by the standards of Pedahzur and Ranstorp (2001; II.3.3.2). For the early years, that classification is primarily based on the nature of the agents applying force and the altered criminal procedure in the *yanda*-context (IV.6.2, e.g. Dillon 2004, 88-89). For later years, it is based on the pre-emptive application of ever more punitive preparatory offences (IV.5.2 e.g. Li, E. 2016), standardly altered criminal procedure (IV.5.2.4, e.g. Zhou, Z. 2014, 147-153) and continued reliance on the same set of agents (IV.6.3-4, e.g. Reeves 2014, 4-5). There has always been some fallout in the course of strike-hard campaigns, but the factually anticipated set of targets broadened with recognition of extremism as state-security relevant. This was based on recognition (a) that it underlies terrorism (IV.5.3-4; e.g. "PRC Counter-Terrorism Law" 2015, Art. 4; see Zhang, L. 2016) and (b) poses a challenge to ethnic unity as a static component of broadly construed national security and a dynamic part of the ideologically relevant process of national unification (IV.3.4.2, e.g. Clarke, M. 2018; Klimeš 2018, 419-421; Mattis 2018). That diagnostic process is the backdrop for the type of blanket-coverage surveillance paired with the threat of re-education assumed to function towards Uyghurs' "social re-engineering" since 2014-2016 (Zenz 2018c, 23; see IV.9, e.g. Byler and Grose 2018; Roberts 2018, 242) and its legalisation in XUAR-specific counter-terrorism and de-extremification legislation (IV.5.4/9.6, e.g. Klimeš 2018, 425-428).

In the communicative realm, the Beijing and XUAR governments have invested heavily in meeting the different components of a complex TSE threat. They have embraced any and all of the communicative measures I modelled at II.3.6, although the rationale underpinning them does not always fit my modelling. While target-centric denial of attention has consistently been part of the communicative repertoire through censorship and media regulations, that was at least initially aimed only at curbing the spread (of the word) of the underlying ethno-separatist sentiments as "politically sensitive" matters (IV.8.2-3, e.g. Brady 2012a, 165; HRW 2005a, 30-31). It was less driven by considerations for the symbolic capacity of acts of terrorism and the significance of the ensuing climate of fear typically carved out as characteristic by terrorism scholars (II.3.6, e.g. Crelinsten and Schmid 1992, 322-330; Wilkinson 2011, 159-161). That rationale only fully entered CCP strategy with the 2015 National Counter-Terrorism Law (IV.5.3/8.4.3, e.g. Zhou, Z. 2016a). The former rationale remained in place, consistent with the identification of extremism as an ideological national security threat in its own right, at least as threatening as terrorism itself if not more than that (IV.3.4.2, e.g. Clarke, M. 2018; Klimeš 2018,

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<sup>918</sup> This subsection is partly based on Korte (2016c) and distantly on Korte (2015; 2016a).

419-421; see Korte 2018a). Actor-centric communication consistently targeted all Uyghurs as potential TSE-adherents via propaganda, the news media and scholastic education, flooding XUAR with the “correct” historiography and national unity narratives (e.g. Brady 2012a; “Document #7” 1996; Zhang, C. 2019b, 8-9; Zhang, Xiaoling et al. 2018). Only the means have become more sophisticated with the appropriation of modern technology in the Hu-Wen era (IV.8.3.2, e.g. Brady 2009, 442-444) and intensified with the education and de-extremification campaigns in the Xi era (IV.8.4.2/IV.9). Again, the CCP’s presupposition of the “correct” interpretation of things (IV.8.2.1, e.g. “Opinions on #7” 1996, 29-32, 36-40; IV.8.4.2, e.g. Gan 2017b) and the approach of overriding rather than grappling with the content of competing ideologies differ from the interactive and dialogue-oriented models envisioned at II.3.6.2. A field of intersection between actor- and target-centric communication is the notion of resilience, unexpectedly conforming to Heath-Kelly’s (2015) portrayal of counter-terrorism as “ideological labour”. Here, the communicative realm emerges as a locus where what Beetham and Holbig call the *demobilisation of public dissent* is systematically combined with the propagation of ideological norms and the *mobilisation of consent* (Beetham 2013, 157, 183; Holbig 2011b, 169-170; 2013, 74-75). These aspects can also be observed in the governance of religion and with XUAR Islam specifically in reference to TSE prevention (IV.7, e.g. Klimeš 2018), jointly peaking in the de-extremification campaign (2014-2018).

What I have followed Schneckener (2006) in calling *structural counter-terrorism* (II.3.5) has been part of the Chinese repertoire in XUAR in the form of condition-centric policies and very limited process-based ones. On the condition-centric side, Beijing has combined measures that propel economic development regionally and nationally such as infrastructure development, preferential economic policies and migration management (IV.10.3) with special ethnic policies such as language training, preferential treatment in the education sector and training of minority cadres (IV.10.2). These policies’ primary purposes have been a specific type of the region’s integration that is commonly acknowledged as colonialist (IV.10.3, e.g. Anand 2018) and Uyghurs’ assimilation. The latter began to be admitted from 2000 onwards (IV.10.2, e.g. Becquelin 2004) and pursued assertively since 2014 (IV.10.2-3, e.g. Leibold 2014b). That is consistent with the long-time diagnosis that TSE is embedded within the formerly revolutionary class struggle, then “class struggle under new historical conditions” (Wang, Lequan 1997b, 60; see IV.3.2/10), now that for national unification (IV.3.3-4, e.g. Hu, J. 2010, 57; Blanchard 2014a). That is by the dialectic materialist logic in CCP ideology dealt with through the acceleration of joint economic development and an ethnic policy bent on national unification.<sup>919</sup> However, in contrast to the recognition and partial satisfaction or at least mitigation of interests – “accommodation” – that underlies any and all *structural* or conciliatory

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<sup>919</sup> (IV.3.2.1, e.g. Barabantseva 2008; Zang 2015, 22-25, 30, 151; see Kerr and Swinton 2008, 119-120; Seymour 2000, 183-184).

models (Bhounik 2005; Sederberg 1995; II.3.4-5), the CCP's rationale is not those interests' accommodation but their disappearance. That is also the effect of the limited process-based measures seen in the territorially administered system of autonomy that is hamstrung by institutional hierarchies (e.g. Moneyhon 2002) and by the ideological grooming of ethnic cadres such that they are hardly representative of indigenous interests (e.g. Chung 2006, 85). It is also offset by strategic boundary-drawing and migration management (e.g. Bovingdon 2004b; all IV.10.2.1; see Korte 2016c) as well as the impact of the XPCC (IV.4.3.3, e.g. Becquelin 2000, 78-79; Zhu, Y. and Blachford 2016). Tying in with that, measures conciliatory to already violent actors were not observed. Nevertheless, Chinese counter-terrorism is extraordinarily broad and defies the Paradigm's point that autocratic counter-terrorism operates in a legitimacy vacuum. Meanwhile, it is legitimacy-oriented to the extent that maintaining the CCP's core legitimacy (re)sources – first and foremost ideology – seems to rank higher than efficient solution of the problem itself.

### **IV.11.3 Chinese counter-terrorism, the political system and legitimacy**

#### **IV.11.3.1 Performance legitimacy and generic “general interests”**

At II.5.6.3, I proposed that contrary to the Paradigm's assumption of the absence of legitimacy considerations in authoritarian counter-terrorism, the necessity to perform (at least) on what Beetham (2013, e.g. 138) refers to as the generic *general interests* of security and welfare should render autocracies generally susceptible to *legitimacy deficit* and authoritarian counter-terrorism an exercise in avoiding it. I also argued that performance failure-accrued legitimacy deficits should be particularly threatening for China because the single party, co-extensive with the system, would have a hard time distancing itself (II.5.3.4, Beetham 2013, 141, 145-146, 181-190). Reliance on ideology was proposed to act as a magnifying glass for vulnerability where terrorism challenges any of its core assumptions, frames or the *general interests* articulated therein (II.5.7.2). Both propositions are found true with the qualification that reliance on ideology is found to be both a curse – in terms of vulnerability and feasible options – and a blessing – in terms of framing and the availability of systemic tools and characteristics unique to a system constructed around ideology, there as envisaged by Beetham (2013, 155-157, 182-183).

At the level of those *general interests* that Beetham considers generic, the Chinese government's threat narrative consistently features security and welfare in the form of economic development. Security consistently prevails in three themes: (i) as far as the ethno-separatist component of TSE is concerned, territorial integrity, with strategic deterrent considerations of XUAR as one of five “renegade provinces” (Wayne 2009, 254; Purbrick 2017, 251-253); (ii) external security-centred consideration of XUAR as a strategic “security barrier” to Central Asia (Xi quoted in Xinhua 2017c); and (iii) internal security in general, in the breadth of the TSE concept with various connotation changes in relation to a broadening security

concept, also related to “social stability” (e.g. “Defence White Paper” 2011, I; “Opinions on #7” 1996). Regarding Beetham’s second *general interest of welfare*, the construction of terrorism as a welfare-threat is somewhat atypical globally. Yet it has been a consistent part of the Chinese narrative in the form of TSE posing a threat to economic development. This makes sense in two ways. One is XUAR’s geo-strategic location and energy-richness (IV.3.4.3, e.g. Hu, J. 2010, 55-56; see IV.10.3, e.g. Becquelin 2000; Warikoo 2016). The other lies in the degree to which the CCP has, again with variations but steadily (e.g. Brown and Berzina-Cerenkova 2018; Zhao, D. 2009), relied on (framing) economic performance and development as a source of legitimacy, and its understanding of development is for economic and social processes to be intertwined so that, in its breadth, TSE as a social stability threat has constantly had interruptive potential at various levels.<sup>920</sup>

Beyond that *general interest*-relevance, paired with dehumanising and delegitimising descriptions of terrorists, e.g. as “wantonly slaughtering innocent people” (“Xinjiang White Paper” 2009, VII; see IV.3.4.1), the narrative identifies perpetrators as the legitimate recipients of coercion (e.g. Barbour and Jones 2013). Additionally, constant references to act “in accordance with the law” also locate those efforts within what Beetham (2013, 138-139) describes as the legitimate coercive component to any power relationship. Here, it is virtually impossible to appraise the degree to which any and all of the above are expressions of the governmental threat perception or – probably and – part of a strategic framing effort designed to justify counter-measures (in theory II.5.6.3, e.g. Perliger 2012, 527). Particularly after 9/11, many scholars have argued that the turn in the threat narrative was designed first and foremost to gain international acceptance of and recognition for Beijing’s engagement in XUAR as part of the GWOT (IV.3.3.2, e.g. Roberts 2018; Rodríguez-Merino 2018). On the one hand, that is possible, considering the extent of the government’s discursive power, especially when it comes to legitimacy-sensitive issues such as TSE (IV.8, e.g. Brady 2012a, 165; Luqiu and Yang 2018). Weighing up, on the other hand, that each one of the interests cited are *de facto* recognised as highly legitimacy-relevant, I do consider the balance between genuine threat appraisal and framing a matter of degrees, especially since the bulk of counter-terrorism measures was non-repressive at least until 2016. In any case, both genuine appraisal and framing are driven by legitimacy-considerations.

Meanwhile, it has also been seen that counter-measures have aided the CCP in accruing legitimacy from performing on a number of fronts not limited to successful threat elimination or deradicalisation (e.g. IV.9.6, Le Yucheng quoted in UNOHCHR 2019) but mostly focusing on the development brought to XUAR (IV.10.3.1, e.g. “Xinjiang White Paper” 2009). Thus, as far as generic *general interests* are concerned, counter-terrorism in China emerges as a necessity

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<sup>920</sup> (e.g. Wang, Lequan 1997a, 37; “TEHR White Paper” 2019, V; see Korte 2016c).

of averting *legitimacy deficit* as much as an opportunity to gain performance legitimacy, a point that is especially strong because of their ideological embedment.

#### **IV.11.3.2 Ideological legitimacy: vulnerability, resource, endgame**

Of the legitimacy (re)sources investigated, the one that looms around every corner in Chinese counter-terrorism is ideology. It is found to raise vulnerability to TSE, function as a framework for problem diagnosis, for the proposition of solutions and for integrating counter-terrorism and its benefits with other legitimacy-vital functions so that, although it is a curse in terms of raising vulnerability, it is first and foremost a blessing. Ideology is found to raise vulnerability to TSE because the latter challenges the government's ability to cater to those *general interests* definition of which is, with Holbig (2013, 62-65, 72), ideology's second function in Beetham's framework (II.5.7.1).<sup>921</sup> The two main ideology-contained goals Beijing designates as challenged by TSE are national unification and, again, economic development, both processes inseparable from CCP ideology's developmental fulcrum (see e.g. Brown and Berzina-Cerenkova 2018).<sup>922</sup> Both have been portrayed as under threat by Chinese leaders, propaganda and strategic documents in the 1990s (IV.3.2.1, e.g. "Opinions on #7" 1996, 20-21), 2000s (IV.3.3.3, e.g. "Impunity" 2002) and 2010s (IV.3.4.2, e.g. "Xinjiang White Paper" 2015, VI). For both, ideology's core tenets have not only come under threat but provided a diagnostic framework within which certain counter-measures seen in the communicative realm (education and governance of religion) and with respect to both ethnic and socio-economic development policy in XUAR were (i) plausible because consistent with the dialectic materialist logic of (formerly class) struggle, now "class struggle under new historical conditions" (Wang, Lequan 1997b, 60),<sup>923</sup> and (ii) conducive to the CCP's larger missions in each of the policy areas.

For example, the emphasis on education (propagandistic and scholastic) as a communicative counter-measure to the "hoodwink[ing]" (e.g. Aisihaiti 1997, 31-33) of those with poor education, Mandarin skills and "simple religious sentiment" (Dynon 2014), has tied in with the knowledge-based vanguard position that is part of the traditional Marxist-Leninist derivation of authority and made it into the new millennium as part of the Scientific Concept of Development (IV.3.3.2, e.g. Holbig 2009; 2015, 136-137). Beijing has always made efforts at ensuring the CCP's discursive dominance as a core part of the strategy in line with its broadly ideational threat perception (Korte 2018a). Yet more than that, increased reliance on ideology in the Xi-Era with its ambition of "spiritual civilisation construction" and an accordingly broad conceptualisation of national security under the "holistic security concept" form the backdrop

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<sup>921</sup> As a matter of fact, the ethnic separatist component is also a challenge to the notion of popular sovereignty enshrined in the first of what Holbig (2013, 64) identifies as ideology's three functions: providing the *rightful source of authority* (Beetham 2013, 132; see II.5.3.3/5.3.5/7.1).

<sup>922</sup> These twin arguments on vulnerability were raised in Korte (2015; 2016a; 2016c; 2018a).

<sup>923</sup> (see IV.3, IV.10, e.g. Kerr and Swinton 2008, 119-120; Zang 2015, 22-25, 30, 151).



to framing religious extremism as a national security threat in its own right, whether it be diagnostic or strategic (IV.3.4/8.4, e.g. Clarke, M. 2018; Klimeš 2018, 419-421, 423). The accordingly comprehensive administration of counter-measures and emphasis on and means of ideological work in the course of the two campaigns in XUAR were consistent with the larger focus and means on ideological work and nation-wide rectification campaigns (IV.8.4.1, e.g. Klimeš 2018, 434; Lams 2018, 403-404). Similarly, ethnic and socio-economic development policy are diagnostically and strategically consistent with the CCP's development mission in general and with ethnic minorities in particular (Trédaniel and Lee 2018; Zang 2015). In their implementation – sustaining XUAR as an infrastructurally and economically controlled dependency (IV.10.3, e.g. An and Cui 2018; Becquelin 2000, 67-70) – they are also conducive to keeping up the “struggle” that Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3) identifies as central to the CCP's ideological self-legitimation narrative. Likewise, governance of XUAR Uyghur Islam has morphed from dismantling the ideological and organisational challenge that had been perceived to emanate from religion per se and in XUAR's mosques as staging grounds for separatism in particular (IV.7.2.2, e.g. Wang, Lequan 1997a, 37, 40; see IV.7.2.1, e.g. Zhang, Xiuming 1998, 74) into the complete sinicisation of Uyghur Islam. This is to the extent that it has become complicit in Uyghurs' behavioural sinicisation and ideological indoctrination in a way that supersedes the national-level sinicisation of religion (IV.7.4, e.g. Byler and Grose 2018; Klimeš 2018; Meyer, P. 2016a). The final stage of that effort – the de-extremification campaign (IV.9.6) – has combined what Beetham (2013, 157, 183) and Holbig (2011b, 169-170; 2013, 65, 74-75) refer to as the *demobilisation of dissent* with indoctrination and the *mobilisation of dissent*, further contributing to legitimacy via the dissemination of ideological norms (*ideational governance*). At least – because that endeavour's success should be capped per his *limits of self-closure* (Beetham 2013, 104-108; see II.5.3.5/5.7/5.8), “trainees” *performance of consent* is consistent with Beetham's *mobilisation mode* in *state-socialist systems* (IV.9.6). In those manifold ways, ideology is seen to be a legitimacy (re)source that is both blessing and curse but either per its content or systemic corollaries does not just contain vulnerabilities but comes with a significant capacity to turn those into new legitimacy assets.

A final point that runs like a golden thread through all of the measures is the consistent emphasis on acting in accordance with the law. This is observed in the various amendments to the PRC Criminal Code, partly legalising measures implemented extrajudicially before (IV.5.2.4, Li, E. 2016, 349) or the 2015 Counter-Terrorism Law (IV.5.3). It is also seen in the stability-related governance of religion and ethnic affairs already in the mid-1990s (IV.7.2, e.g. “Opinions on #7” 1996, 29-36) or the sinicisation of religion today (IV.7.4.1, e.g. “Freedom of Religious Belief” 2018, I). Likewise tying in with this trend was Xi Jinping (quoted in Xinhua 2014I) when calling for high intensity counter-terrorism operations in 2014 (IV.6.4) or Chairman

of the XUAR Government Shohrat Zakir (2018) when interviewed on the “vocational training”/de-extremification effort (IV.9.6). Beijing has long cultivated the impression that it is countering TSE according to the law. Scholars like von Soest and Grauvogel (2015; see II.4.3.1) might assert that such efforts and “legitimacy claims” are mere lip-service in a legitimisation strategy accessory to stabilisation and short of genuine legitimacy, and there is indeed evidence for the explicit prioritisation of political considerations, e.g. in judicial proceedings after the Urumqi (2009) riots (IV.6.3, e.g. HRW 2009b, 19-20). Yet it must also be understood that rational-legal legitimisation has a strong tradition in China (e.g. Guo 2003; Holbig and Gilley 2010) and that the rule of law component has become very important ideologically under Xi Jinping as the third leg of his signature slogan, the Four Comprehensives.<sup>924</sup> Thus both in terms of the practice of legalisation and of the accompanying rhetoric, counter-terrorism is again seen to tie in with wider trends on the ideological legitimisation front (at least partly) where counter-terrorism is primarily an asset.

#### **IV.11.3.3 Discursive power and counter-terrorism, mobilisation**

At II.5.8.3, I proposed that a high degree in governmental discursive power, identified along Jungherr et al.’s (2019) indicators of *political parallelism* and the *regulatory environment*, would be an asset in the implementation of communicative counter-terrorism measures, especially in a system constructed around ideology as a legitimacy (re)source. On the one hand, these expectations are confirmed in that the CCP’s control over the education system, news media, propaganda apparatus and increasingly managerial approach to the internet are all also assets put to use in actor- and target-centric communicative counter-terrorism (IV.8; Korte 2016c). Moreover, the mix of news-media self-censorship and control via the propaganda system as well as the active use of propaganda are the Chinese standard when it comes to ethnic/separatist affairs or social protest (so-called “mass incidents”) as potential legitimacy wildfires (IV.8, e.g. Brady 2012a; Luqiu and Yang 2018; Tsai 2016). Indeed, Holbig (2013, 74-75) argues that, in *mobilisation mode* fashion, the CCP still standardly manages public opinion to *demobilise dissent* on critical subjects. XUAR has always been special because of the ideological components of TSE and the educational mission the CCP assigned itself in protecting the “hoodwink[ed]” (IV.3.2.2, e.g. Aisihaiti 1997, 31-32). This pattern has been identified as the issue-specific application of the original Marxist-Leninist development mission in reference to the party’s “scientific” knowledge, later in the form of the Scientific Concept of Development (IV.3.3.1, 3.4.3, e.g. Holbig 2006, 11; 2013, 68-72). The general discursive-educational framework is again implemented with a specific focus and higher intensity in the course of XUAR’s ideological education campaigns from 2014, tying in with the larger emphasis on ideological work and with “mass-line education” campaigns as its means under

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<sup>924</sup> (IV.3.4.3, China Daily 2015; see e.g. Brown and Berzina-Cerenkova 2018, 330, 334, 337; Lam 2016, 409, 413; here Klimeš 2018, 425-428, 434; Zhou, Z. 2017, 7; 2018, 76-77).

Xi.<sup>925</sup> Meanwhile, at least since the Hu-Wen era, the intensification of efforts seen in the region has also been justified in reference to the communication between potential actors (IV.8.3.1, e.g. Hu, J. 2010, 69) and their outreach, primarily online (IV.8.3.1, e.g. Xinhua 2009b; Klimeš 2018, 432-433). The mass mobilisation seen in the People's War on Terrorism is also generally concurrent with but, due to its state-security relevant nature, in excess of the mobilisation component inherent in the "mass-line" concept (IV.9.5, Zhang, C. 2019b). Thus, a certain co-constitutiveness between governmental discursive power and communicative counter-terrorism and mobilisation as its attachment is also observed.

Re-education and de-extremification in XUAR since 2014 are a special case. Discursive power has been complemented by a degree of surveillance and threat of coercion that seems to produce a sort of ideational power that supersedes any notion of discourse monopoly I originally rejected. They take Klimeš' (2018) understanding of *ideational governance* into the borderlands of what Beetham considers possible in terms of the *limits of self-closure* (Beetham 2013, 104-108; see II.5). With respect to legitimacy, there are three implications. As far as its norm-based component is concerned, i.e. those norms *authorisation to power* and governance have to conform with in order for the power relationship to be legitimate and which are contained in ideology (II.5.7.1, Beetham 2013, chapt. 3, 181-182; see Holbig 2006; 2013), ideological education and indoctrination might actually be able to bring about the desired change in individually held norms as a baseline for legitimacy. This is the core of Klimeš (2018) argument on *ideational governance* (IV.7.4.1/9.6). Secondly, at the behavioural level, the fact that "trainees" are reported as singing patriotic songs and taking part in flag-raising ceremonies (IV.9.6, e.g. HRW 2018b, 37-42) can be seen as the sort of "surrogate consent" characteristic of *state-socialist systems* in *mobilisation mode* as the third criterion of legitimate power (Beetham 2013, 90-97, 155-156, 182; II.5.3.3). Third, if the anticipated standardisation of Uyghurs' ethnic and cultural identity to Han role models does indeed succeed (IV.9.4, e.g. Byler and Grose 2018; Meyer, P. 2016a), they may contribute to the CCP's legitimacy via attainment of the ideological performance goal of national unification that is now contained in the first of the Four Comprehensives (IV.3.4.3, Brown and Berzina-Cerenkova 2018, 333, 335-337). As deeply legitimacy-relevant as these observations in the course *ideational governance*, education and de-extremification from 2014 are, they are in their excess of the general level of governmental discursive power neither facilitated by any of the legitimacy (re)sources as capacities nor a function of a general reliance on ideology. At best, reliance on ideology and the specific content of CCP ideology incentivise their pursuit.

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<sup>925</sup> (IV.8.4, e.g. Brown and Berzina-Cerenkova 2018, 328-329; Noesselt 2016, 37-38; Meyer, P. 2016a, 9-10)

#### IV.11.3.4 *Responsiveness and co-optation: whose system, whose interests?*

In China, there are some condition-centric measures that have the capacity to alleviate conditions considered conducive to instrumentalisation by groups for recruitment and mobilisation for an ideology or cause as modelled at II.3.5 (e.g. based on Crelinsten 2014, 9), but I have found the accommodating logic of de-escalation and prevention that underlies my conciliatory and process-based structural models to largely be absent (Korte 2016c). On the one hand, Chinese counter-terrorism was (at least until 2014) not primarily coercive and in many aspects thus subsumable under what I follow Lambach and Göbel (2010, 79, 87-88, 90) in modelling as responsiveness. On the other hand, the response does not quite reach the constructive and accommodating logic of responsiveness in the sense of responding to (shifts in) the Uyghur part of the demand structure but rather worked towards those demands' and interests' disappearance. That observation cannot be down to a lack of information-gathering capacity which I proposed as a condition of responsiveness. That is because the party has always controlled many aspects of economic and social life and all aspects of education and politics throughout China and in XUAR even more so. If there is a superlative to information-gathering capacity, the panoptical system of surveillance in XUAR erected since 2014-2016 would have to be its denotation (Roberts 2018, 236, 245-251; IV.9.6). Information-gathering capacity can thus be ruled out as a constraint on CCP responsiveness in general and on counter-terrorism in particular.

Instead, in XUAR and there in partial contrast to and excess of the national level, we can observe the implications of what Beetham (2013, 157) states as a characteristic of *mobilisation mode*: the party's "claim to a monopoly of truth in the realm of doctrine, and a monopoly of organisation in the sphere of political activity." Concerns of territorial disintegration are not unique to ideologically legitimated systems. In contrast, fears of the doctrinal and organisational competitiveness of religion<sup>926</sup> and of sub-national consciousness and its potentially systematic representation because it runs counter to the idea of national unification are indeed unique. They are unique to the ideology-related reliance on organisational monolithisation and mobilisation as well as the specific content of CCP ideology with respect to unity. That explains the seriousness with which the CCP generally eyes ethnic and religious issues and TSE in XUAR in particular.<sup>927</sup>

Meanwhile, there is still an interplay between systemic capacity and the implementation of counter-terrorism policy. First, there is no co-optation at all. Rather, minority education and minority cadre training ideologically grooms them into CCP-loyal citizens (see IV.10.2, e.g. Chung 2006, 85; Cui, J. 2013; Grose 2010 on education). That is a way of draining capable manpower but it is also far stretch from what I model as (elite) co-optation that incentivises

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<sup>926</sup> (IV.7.2.2, e.g. Wang, Lequan 1997a, 37, 40; see IV.7.2.1, e.g. Zhang, Xiuming 1998, 74)

<sup>927</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135; see Korte 2016c).

commitment towards stabilisation (II.5.9.1). That is because subsequent to their “grooming”, these can barely be considered to themselves have defective potential or be representative of potentially defective ethnic groups (see Korte 2016c).<sup>928</sup> Secondly, the party’s implementation capacity is unique, considering the general systemic setup that reflects its emergence from the revolutionary struggle, for instance, with the PLA as one of the state’s instruments in exercising its monopoly on power being “the party’s army” (Mattis 2018; IV.4.3.1). Other instances are the once-again proliferation of leading small groups, where counter-terrorism and XUAR governance fit the larger trend (IV.4.2.1, e.g. Batke 2018), and the XPCC’s structural integration with the centre and its accordingly party-loyal functions in implementing its dual structurally developing and security mandate (IV.4.3.3, e.g. Zhu, Y. and Blachford 2016). Moreover, the setup of a special bureau for XUAR affairs within the UFWD attests to consideration of XUAR affairs as in need of special consideration outside of the standard minority and religious affairs portfolio and as a CCP central concern (IV.4.2.1, e.g. Klimeš 2018, 419; Mai 2017). Meanwhile, the expansion of the surveillance and intelligence apparatus is, though generally consistent with nation-wide patterns, in excess thereof (IV.9.3, e.g. Byler and Grose 2018; Hoffman, S. 2017).

The analytical upshot is that what we see in XUAR are the manifestations of a system that is capable of obstructing dissent because it was constructed so it won’t have to tolerate it. Far from being tautological, that functional logic is simply historically contingent. That specific system was designed to be self-sustaining and self-sufficient in its reliance on ideology, *mobilisation of performative consent* and related *demobilisation of dissent* and has retained this logic even through its evolution (Beetham 2013, 157, 183; Holbig 2011b, 169-170; 2013, 74-75). That is fully consistent with Beetham’s (2013, 118, 127) understanding of institutions as “solutions to the common legitimation problems” and with Pepinsky’s (2013, 631-633, 649-651) neo-institutionalist argument that institutions are “epiphenomenal on more fundamental political, social and/or economic relations”, i.e. not either endogenous or exogenous to these but both. In terms of the legitimacy (re)sources under investigation as to their capacitating/conditioning of counter-terrorism: One, the single-party’s information-gathering capacity as per the system and further leveraged in counter-terrorism is found to be supreme but not a condition of the government’s (the CCP’s) responsiveness to shifts in the demand structure, only one that facilitates implementation, i.e. concerns the system’s responsiveness to the government (the CCP); two, the fact that there are no sincerely accommodating measures in the conciliatory and process-based realms is not down to a lack of capacity but conditioned by dependence on what Beetham refers to as *mobilisation mode* and by the

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<sup>928</sup> That evaluation is contingent on my conceptualisation of *co-optation* as an elite-oriented process which is distinct from the co-optation concept used by Gandhi (2010), Gandhi and Przeworski (2007) or Aksoy et al. (2012) who include the population at large as targets of co-optation and view party socialisation as a co-optation mechanism (see II.5.9.1).

specific content of CCP ideology. Counter-terrorism in XUAR then merely brings out the system's typical functional logic on a silver plate.

## **V ANALYSIS & CONCLUSION**





## V.1 Introduction

Today, Russia and China both implement comprehensive counter-terrorism strategies in accordance with a broad understanding of the terrorist threat. They recognise the importance of extremist ideology in the genesis of terrorism and the communicative nature of terrorism as a form of political violence, but they deploy different tools and have come different ways. For the better part of the Chechen CTO, the Russian understanding of terrorism was narrowly physical and accordingly mostly met by kinetic force (Korte 2018a). Russia's development of a more comprehensive strategy with its emphasis on communication only began slowly following the definition of terrorism to include the *ideology of violence* ("35-FZ" 2006) and in earnest in the second half of Medvedev's presidency. What followed were the step-by-step introduction of actor- and target-centric communicative counter-measures tackling radicalisation prevention and resilience, particularly on the internet (Korte 2019a). Economic development, however, never turned into a consistent and credible part of a condition-centric federal strategy. By contrast, the Chinese understanding of the terrorist threat has always been for it to be a tactic in the service of ethno-separatist ambitions and religious extremist ideology (Korte 2016c). Accordingly, counter-terrorism efforts encompassed almost the entire model spectrum save for those conciliatory and process-based means that follow a logic of accommodation (ibid). Both countries now recognise terrorism as a phenomenon with causes and consequences, but neither sees the option of terrorists' goals and motives being legitimate. This has not stopped the Kremlin from permitting substantive republican autonomy and the Islamisation of several of the NCFD republics, ultimately conciliating those very goals directly (in Chechnya) and indirectly (Ingushetia, partly Dagestan). The nominal system of autonomy and accompanying minority and development policies implemented in XUAR, by contrast, could barely be more converse in their ambition to assimilate Uyghurs rather than systematically accommodate deviant ideas and groups (Korte 2015; 2016a; 2016c). The two countries have also kept an eye on extremism to the extent of recently treating it as a state-security threat in its own right and combining the according counter-measures.

This brief synopsis already indicates that it will not be hard to refute the Paradigm of uniform coercion in authoritarian counter-terrorism in view of that variation and, particularly, non-coercive forms of counter-terrorism encountered in the conciliatory, communicative and structural realms. This final part of the dissertation contains the Structured Focused Comparison (SFC) following George ((1979) 2019) and George and Bennett (2005) to fulfil two goals. First, I test the Paradigm using Mill's (1843, 454-463) Method of Difference (MOD). With cases chosen in conformity with the prevailing assumption of homogeneity (II.4.3, e.g. Wilson and Piazza 2013, 941-942), if the two counter-terrorism strategies are found to exhibit variation, the Paradigm is taken to be refuted. For my heuristic goal, I explore the potential sources of variation in the two counter-terrorism strategies, focussing on (re)sources of

legitimacy in what Wahman et al. (2013; 2017) classify as a multiparty electoral autocracy (M-PEA) and a one-party one (O-PEA). This is in resemblance of the terrorism literature's explanation of variation in democratic counter-terrorism strategies in recourse to their variation in *electoral responsiveness*. That is, as pointed out by Lambach and Göbel (2010, 87-88), simultaneously their primary means of governmental and systemic legitimation (II.4.3.5). I ask whether and how each of the five (re)sources of legitimacy in O-PEAs and M-PEAs – responsiveness, performance legitimacy, ideology, discursive power, co-optation – concurs with and differently affects certain counter-terrorism models. The heuristic goal is to inquire whether and which of these legitimacy (re)sources are either themselves or come with conditions that capacitate or constrain the choice or implementation of certain counter-terrorism models between an M-PEA and an O-PEA. These are potential sources of variation in authoritarian counter-terrorism policy at large. A (re)source's conditioning potential is inferred from the observation of its concurrence with a specific type of measure and the plausibility of that choice relating to that (re)source. The questions thus address the actual choice, assuming the choice has to be possible for it to be made. In the assumption of choice, this conceptualisation differs from the institutional capacity-based deterministic approaches of Wilson and Piazza (2013) and Fjelde (2010; II.4.4.2, II.5.1). The availability of options not chosen or reasons why they were not chosen were not systematically accommodated in this design. Not all potential factors of variation could be accounted for, nor could the individual steps of a decision-making process. Hence, equifinality cannot be excluded. I can also not state whether a condition is necessary or sufficient, but the identification of potential factors of policy variation between the M-PEA and O-PEA among the legitimacy (re)sources suffices to meet the dissertation's heuristic goal.

This part proceeds with the SFC following the method of George ((1979) 2019) and George and Bennett (2005) and the structure outlined in table 4 (II.6). It compares the two counter-terrorism strategies by answering each question towards both the theory-testing and heuristic goal. The legal frameworks for counter-terrorism are integrated with the model parts they are relevant to, as done in part II. Governance of religion is grouped with communicative counter-terrorism despite the recently coercive turn in China because that fits most of its components best for most of the time. Section V.3 evaluates the comparative findings as to their evidentiary power for testing the Paradigm (V.3.1) and for the heuristic goal (V.3.2). Section V.4 concludes with a presentation of the outcomes in terms of which concurrences between (re)sources of legitimacy and counter-terrorism models indicate a conditioning relationship and causality should be tested for in the future. Section V.4 also discusses the relevance of my findings.

## V.2 SFC

### V.2.1 Threat narrative

#### V.2.1.1 Overview

The original impetus for examining governmental threat narratives was to understand whether and how the government understands terrorism as a threat to its legitimacy with a particular focus on the threat to its performance on what Beetham (2013) defines as a generic *general interest of security* (II.5.6). It is acknowledged that governmental threat narratives may not perfectly represent systemic legitimacy vulnerabilities, particularly not in a multiparty system where, following Beetham (2013), *legitimacy deficit* resulting from performance failure only affects the government, and that diagnostic and strategic framing elements interlock (e.g. Campana 2014, 249-250). Still, government threat narratives should reveal how governments perceive the threat of terrorism and if and how that is seen to jeopardise their legitimacy. That effect is assumed to stem from impairing their ability to derive performance legitimacy from catering to what Beetham calls *general interests* and thus go towards showing that legitimacy considerations are not absent in authoritarian counter-terrorism and, indeed, also drivers of policy choice.

As for findings, the narratives show that both governments indeed perceive terrorism as a threat to their ability to perform on the *general interest of security*, confirming my hypotheses (II.5.6.3). In China, in addition to reference to the generic *general interest of security* and economic development to be under threat, the presence of ideology, specifically its content, incurs further vulnerabilities as proposed at II.5.7 but also a set of chances with respect to legitimation. These vulnerabilities are to some extent shared by what Kneuer (2017) calls the Kremlin's "ideational-identitarian argument pattern". Third, the threat framing, whether strategic or not, has significant ramifications in terms of performance legitimacy that is accrued from catering to terrorism-related *general interests* (II.5.6). In the case of China, it is also catering to performance legitimacy derived from ideology-contained *general interests* (II.5.7) and, in excess of my expectations, in both countries from broader performance goals including but not limited to external representation.

#### V.2.1.2 *Diagnosis of terrorism as a threat to different sources of legitimacy*<sup>929</sup>

In both countries, the terrorism threat narrative exposes governments' perception of terrorism as threatening national security in the realms of physical security and territorial integrity. The latter is logically connected to the ethno-separatist dimension of the primary perpetrators' goals in the 1990s when Chechen and Uyghur groups both advocated independence. Both governments feared the defection of an ethnic republic or region would jeopardise their image as capable of upholding territorial integrity (III.3.2.3, e.g. Russell 2008, 663; IV.3.2.1, e.g.

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<sup>929</sup> Based on the case studies, this subsection contains various arguments on the perception of "existential threats" raised in Korte (2015; 2016a; 2016c; 2018a).

Purbrick 2017, 251-253). References to physical security and territorial integrity relate to governmental performance on the *general interest* of security as a source of legitimacy, derived from its pertinence to the utilitarian purpose of political systems (Beetham 2013, e.g. xiii, 82-90, 137-138). In China, economic development as a *general interest* – welfare being a generic *general interest* according to Beetham (2013, 138) – is also portrayed to be under threat from terrorism (IV.3.4.1, e.g. "TEHR White Paper" 2019, V). This is not the case in Russia. These narratives also provide the basis for justifying counter-measures in the sense of placing them within the scope of what Beetham (2013, 139) considers to be a legitimate coercive component to any power relationship (III.3, e.g. Campana 2014, 252-256; IV.3, e.g. Anand 2018; Barbour and Jones 2013). To some extent, they also provide for reclaiming counter-terrorism as a source of performance legitimacy (V.2.1.3).

Another shared diagnostic theme is the understanding of terrorism and extremism as ideational threats to a national community of ideas and values and, by extension, to the government's capacity to guard this community. In Russia, the notion of a values-based national identity that has come under threat by terrorism is a more recent development which became relevant only with the 2012 "cultural turn" (Robinson 2018, 97-102; Sakwa 2013). In the PRC, threat diagnosis initially located terrorism as a threat to national unification via pointing to its ethno-separatist components' being "a concentrated expression of the class struggle under new historical conditions" (Wang, Lequan 1997b, 60; see IV.3.2.2). That idea has been upheld in a slightly different shade with religious extremism in the 2010s being considered a threat to the Fifth Leadership Generation's project of "spiritual civilization construction" under the Four Comprehensives (IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018; here Klimeš 2018, 419-421). The threat here is double. First, it pertains to the notion of popular sovereignty in ideology – how could the CCP possibly claim to represent everyone in the face of vocal and visible ethnic separatism?<sup>930</sup> Secondly, it pertains to the process of national unification that still is part of the CCP's core developmental, now modernising, mission as per ideology.<sup>931</sup> In Kremlin parlance, nationalism or a national community of values only appeared in the threat narrative from around 2012, following the shift in the leadership's larger legitimation strategy from a primary focus on economic performance and territorial integrity to an "ideational-identitarian argument pattern" (Kneuer 2017, 196-200; III.3.4.1). In the course of this shift, Putin closed ranks with the ROC in what was presented as a return to "traditional values", consolidating a traditional Russian identity as an "ideational-identitarian" counter-project to a liberal West perceived to be expansionist ideationally and territorially (III.3.4.4, e.g. Mommsen 2017, 120-128). In the new legitimation strategy, Putin's leadership is portrayed as justified by guarding

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<sup>930</sup> On the *legal and normative validity* of *state-socialist* party-rule as per ideology see Beetham (2013, 89, 132, 155-156, 181-182; II.5.3/II.5.7), for the CCP specifically and concerning the significance of modernisation in CCP ideology see Holbig (e.g. 2006; 2013; 2015), ethnicity-related Zang (2015, 21-25).

<sup>931</sup> (Ibid). I raised the dual nature of the threat in Korte (2016c).

these norms and values (Robinson 2018, 97-102). While this bears some resemblance to ideology, it is better understood as a tool of governance because the Kremlin cannot be said to rely on the integrity of Russian values, on United Russia's and Putin's guarding role and derivation of what Beetham calls *rightful authority* therefrom for government legitimacy in the same way as the CCP does on ideology. The legitimation narrative since the Kremlin's "cultural turn" may attempt to justify the particular government or systemic order and its organisational principles in reference to guarding the "multi-ethnic and multi-religious state as a unique civilization" (Putin 2013b) united by "traditional values" (Robinson 2018, 97-102). However, its top-down imposition has not been too successful, nor is it embedded in a larger ideology that manages either of these things and mobilises towards Beetham's criterion of *performative consent* (Kneuer 2017, 196-200; Mommsen 2017, 126-128).

Across the two governmental threat narratives, ideology and even "ideational-identitarian argument patterns" (Kneuer 2017) thus make a difference to governmental and systemic vulnerability to legitimacy deficit in case of terrorism. There are differences in the degree to which terrorism can affect governmental legitimacy because of the different functions that ideology and culturalist legitimation narratives fulfil in the two systems. The presence of ideology and reliance on it as a source of legitimacy, to be kept unassailable, raise vulnerability to terrorism. For "ideational-identitarian argument patterns" this is only true to a much smaller extent. Yet, the threat narrative alone does not permit for evaluating which government perceives terrorism as a stronger legitimacy threat, only that they both do.

#### **V.2.1.3 The strategic utility of threat framing for performance legitimacy**

Both governments have framed terrorism, the accompanying locales and roots of its ideology in such a way that counter-measures seem appropriate and justified, particularly coercive ones. This confirms the importance of threat framing as indicated, for instance, by Crotty (2004, 7-8) or Campana (2014, 249-250). For the CCP, this has included the constant reiteration of the need to strike hard and retain an uncompromising stance against TSE (e.g. Rodríguez-Merino 2018, 10-12). This was originally based on the national security-threatening character of ethno-separatism (IV.3.2, e.g. "Opinions on #7" 1996, 21), later on that of terrorism (e.g. Xinhua 2014g) and Uyghur (religious) extremism (e.g. Klimeš 2018, 419-421; both IV.3.4.). In Kremlin parlance, securitisation was more refined. At the beginning of the Chechen CTO, contradictory frames of all Chechens as terrorists coexisted, uniformly rendering them legitimate recipients of coercion in the course of a military approach to coercion (III.3.2.3, e.g. Miakinkov 2011, 666-667). That threat framing and the ensuing military campaign provided the basis for Putin's advancement as Russia's leader to the extent that his popularity depended on performance in the Chechen CTO throughout his first two presidencies (e.g. Pain 2005a, 69-73). After the initial combat phase and since the complete transition to rely only on what Pedahzur and Ranstorp (2001) define as an *expanded criminal justice* model, the "terrorist" label has been

reserved for more discriminate sets of people and less synonymous with Chechnya (e.g. Campana 2014). There is some fallout from the amalgamation of “extremism” and “terrorism” and the accordant rendition of terrorism offences, for instance, for Hizb-ut-Tahrir or Crimean independence activists (III.6.4.3, e.g. Kostromina 2019a, 2019b). Nevertheless, the fact that the term is tied to types of activities and threats – even though broadly construed – rather than a specific ethnically, religiously or territorially delineable group, means that Russian securitisation is relatively more discrete compared to China. Here, the term now covers an entire ethnic group (IV.3.4.1, e.g. Dynon 2014; see Korte 2018a; 2018b; 2019b), even though the actual target set for coercion has only become co-extensive with the ethnicity and region and also only in the psychologically coercive sense since 2014.

A common pattern in both cases is the constant interplay between over- and understating the terrorist threat. Influential factors seem to be the ability to justify repression versus the ability to claim success as a source of performance legitimacy. For Moscow, the completion of the Chechen CTO was a symbolic success that sealed Chechnya’s transformation from terrorist safe-haven into a loyal federal republic, aiding Putin’s credibility as a leader (III.6.2.2, e.g. Snetkov 2012, 531-534). In China, considerations include the need to cast XUAR in a positive light to give the impression of a stable investment environment for attracting investors (IV.3.2.1, e.g. Wang, Lequan 1997a, 37; see IV.3.3.3, e.g. Shichor 2005, 124). Another factor in China is what Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3) argues is the CCP’s general reliance on “crisis mode” so as to substantiate its ideology-contained vanguard position in reference to the former’s resolution.

Then, securitisation first paves the way for justifying the means adopted as appropriate to the terrorist threat encountered. In the case of Russia this also happened to be the basis for Putin’s ascendance to leadership. In a second step, securitisation has been useful for citing tactical successes as evidence of government performance. Although the threat narrative itself does not reveal speakers’ intentions and I cannot claim to have discovered purposive strategic framing, that framing has had obvious strategic utility in identifying a certain target group as the legitimate recipients of coercion and in China also the party as the provider of stability.<sup>932</sup> Counter-terrorism is framed as a source of performance legitimacy derived from attending to what Beetham calls the *general interest* of security, in China also economic development, as proposed at II.5.6.3. This emanates from citations of success. In Russia those predominantly take place in the tactical coercive realm (III.3.3/3.6 e.g. Henman 2012) but also at the strategic level (III.6.2.2, e.g. Snetkov 2012, 531-534). In China the emphasis is more on development, national unity and social stability as strategic outcomes in general (see any XUAR White Paper) and recently on de-extremification (IV.9.6, e.g. Zenz 2018c, 2, 12-14). For China, performance

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<sup>932</sup> (III.3.5, e.g. Campana 2014, 251-252; IV.3, e.g. Anand 2018; Barbour and Jones 2013).

legitimacy from counter-terrorism is thus also seen to intersect with performance on *general interests* defined in the framework of ideological legitimisation narratives. This supports my conjecture regarding the cross-influence of ideology on threat perception, justification of counter-measures and performance legitimacy (II.5.7.2). Moreover, in China performance legitimacy with respect to counter-terrorism is not only tied to those interests but to the continued emergence as a problem-solver from “crisis mode” as proposed by Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3): Threat over-statement and small acknowledgements of previous failure have a strategic utility that may be an investment into sustained performance legitimacy and ideological justification of authority in the future. That observation again ties in with the conjecture made at II.5.7.2 that ideology runs through the other (re)sources of legitimacy like a golden thread.

In both cases, the governmental narrative has emphasised the foreign dimension to the domestic terrorist threat and from 2001 contextualised domestic counter-terrorism as a front of the GWOT. The first time Putin departed from referring to foreign sources as the root of the evil to cite domestic factors as conducive to terrorism was after Beslan in 2004 (III.3.2.4, Putin 2004b). Between 2006 and 2014, the diagnostic framework did include domestic factors. Yet, after the appearance of IS and the Crimean crisis, external and internal threat dimensions merged as did the “terrorism” and “extremism” concepts and Islamist terrorism again became a rallying point for this time anti-Western Russian nationalism (III.3.4.6, e.g. Baev 2018, 8, 17-22). Similar effects can be discerned in the Chinese threat narrative with two differences. First, Beijing has, despite diagnostic embedment within the notion of “class struggle” always maintained that the responsible actors were located outside of the PRC and that they exploited extremism to “hoodwink” Uyghurs and incited ethnic separatism to harm China, deflecting responsibility and diverting attention.<sup>933</sup> Secondly, before 9/11, Beijing associated the foreign dimension with the US and contextualised it in a larger capitalist-communist clash of worldviews before it performed a U-turn in 2001 to recontextualise it with the global jihadist threat (IV.3.2-3). In both phases, the direction of (foreign) attribution can be linked to the prevailing rallying point for Chinese nationalism at the time: Around the turn of the millennium, it shifted from anti-foreign to self-centred where bolstering the Uyghurs as an “internal Other” was handy despite the problems of reconciling this with the claim to represent the entire state-nation and rendering the attainability of national unification as a goal questionable (IV.3.3.2, e.g. Kanat 2012; 2016).

Three important points emerge from this. First, in both cases, a terrorist Other has been useful for rallying the population around a common cause. Secondly, a common pattern is the externalisation of blame to defect responsibility and thus reduce the legitimacy deficit

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<sup>933</sup> (IV.3.2.3, e.g. Aisihaiti 1997, 31-32; IV.3.4.2, e.g. “TEHR White Paper” 2019, II; see Gladney 1998, 8-9; Kanat 2012).

associated with governmental performance failure. Third, the fact and direction of that foreign attribution may be subject to other strategic considerations. Moscow already referred to Al Qaeda and the Taliban before 9/11 but only received international recognition for its fight against Chechen terrorism thereafter (III.3.2.3, e.g. Russell 2005a, 242-244, 254). Beijing, in contrast, only hopped on the global anti-jihadist counter-terrorism train after 9/11, taking the opportunity to re-orient its threat narrative's foreign dimension away from being anti-US so as to pave the way for partnering with the US and other Western countries in the commencing GWOT (Kanat 2016). The seeking of international recognition for their domestic fight against terrorism has propelled international acceptance of assertively coercive engagement in the regions and helped both governments' standing as responsible global players and their rapprochement with the US (III.3.2.3, e.g. Snetkov 2012, 525-530; IV.3.2.3, e.g. Potter, Philip 2013, 77-78) although with Russia, that stopped at Crimea. With international status as something both countries constantly aspire to, the framing of domestic terror as part of the global jihadist threat has allowed both governments to reclaim further performance legitimacy domestically by representing their countries externally and emancipating as global security policy players in the GWOT context.<sup>934</sup>

#### **V.2.1.4 Summary of the comparison of threat narratives**

Between the cases, terrorism is commonly understood as a threat to security and territorial integrity as generic *general interests* in Beetham's sense; countering that is the logical corollary of averting *legitimacy deficit*. Both governments have also, though with two decades' time lag, identified terrorism (and TSE) as an ideational threat to the nation defined as a community of values. Again, at least according to their narratives, *legitimacy deficit* looms if the government fails to perform. Arguably, in the Russian case, this is less severe since the Kremlin does not rely on the intactness of its "ideational-identitarian argument pattern" (Kneuer 2017, 196-200) to the same extent as the CCP does on ideology. Beyond the fact that reliance on specific ideological or ideational content in the legitimation narrative broadens the flank for terrorism to attack, the perceived magnitude of threat perception cannot be recorded any more precisely than that it does.

Threat framing has been strategically useful in both cases, although only the speakers would know to what degree their narrative was diagnostic and to what degree strategic. However, the discriminatory of securitisation has accorded with the expansion or narrowing of the target groups of coercive counter-terrorism respectively. It has justified measures taken and helped advance performance legitimacy claims based on guarding the *general interests* of security, territorial integrity and, in the case of China, also socio-economic development and national unification. The content of CCP ideology thus not only raises vulnerability to the physical and

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<sup>934</sup> (III.3.2.3, 3.4.6, e.g. von Soest and Grauvogel 2015, 12; IV.3.3.2, e.g. Holbig 2002).



ideological challenge contained in TSE (Korte 2016c) but also shows itself as a framework for problem diagnosis, the proposition of solutions and accordant mining for legitimacy. The latter partly derives from framing the challenge and counter-efforts as part of the “struggle” so as to reiterate its vanguard position as the ideologically *rightful source of authority* as suggested by Holbig (2011a; 2011b; 2015; 2018; IV.3.3.3). It also derives from succeeding on economic development in the region, proposed as the ideology-generic and TSE-specific solution to any problem that can be framed in terms of the dialectic struggle for common development (IV.3.2, e.g. Kerr and Swinton 2008, 119-120; Zang 2015, 22-25, 30, 151). Finally, the foreign dimension in the narrative plays two roles with performance legitimacy in a way not envisaged: It garners legitimacy from the representation of national interests in the international sphere (e.g. von Soest and Grauvogel 2015, 12) while deflecting responsibility to avoid what Beetham calls a *legitimacy deficit*.

This subsection alone demonstrates that authoritarian counter-terrorism does not uniformly operate in a legitimacy vacuum. Instead, it is permeated by incumbents’ considerations of guarding two out of Beetham’s (2013) three criteria for legitimate power: *rightful authorisation* and *due performance on general interests*. The presence and content of ideology has a catalytic function. That is only shared by “ideational-identitarian argument patterns” to a minimal degree because their content and unassailability are not completely relied upon in the same way as ideology is in China (II.5.7.1, e.g. Holbig 2013, 62-65). Meanwhile, both governments have exploited that guardianship and *due performance on the general interest* for extra performance legitimacy. Of course, the narratives reveal neither speakers’ perceptions or the “real” systemic *crisis tendencies* theorised by Beetham. Nor do they say anything about what Russian or Chinese citizens believe or evaluate as legitimate. Yet, their existence, size and elaborateness suggest that domestic legitimacy matters to incumbents and that, unlike as suggested in the Paradigm, autocrats do not counter terrorism because they can, but because they have to.

## V.2.2 Counter-terrorism institutions, institutions and conciliatory counter-terrorism

### V.2.2.1 Overview

Where broadly construed, counter-terrorism can turn into an all-systemic effort. Then, it comes as little surprise that the institutional responsibilities for counter-terrorism policy design and implementation are integrated with the larger organisational logic of the two systems. There are differences between what Wahman et al. (2013; 2017) classify as O-PEA and M-PEA in how those in charge of designing and implementing counter-terrorism policies relate to the government in power and its legitimacy. Leading questions in this subsection are how the institutional structure reflects a regime’s relations of what Albrecht and Frankenberger (2010b, 55-56) call *exclusive responsiveness* (II.5.5) and whether, following Geddes et al.’s (2014, 315, 318) propositions concerning the influence of “leadership groups”, the counter-terrorism

strategies reflect the policy preferences of the group the leadership is most responsive to. At least to the first question, the answer is affirmative. In the M-PEA system that Russia is, different groups compete for realising their interests, and the government balances these towards stabilisation and satisfying its own legitimacy needs. This creates space for co-optation by a variety of solutions in institutional and policy configuration with ramifications for both conciliatory and what I have nominally followed Schneckener (2006) in referring to as *structural* counter-terrorism. Multiparty nature is neither the singular nor best explanation for those capacities. My research shows that neopatrimonialism and the verticalisation of power are stronger systemic predispositions. By contrast, in China as single-party system, policy is written by CCP pens and implemented with CCP hands with no habitual co-optation or conciliation of military, opposition or radicals; at least none was observed (Korte 2016c). However, I find that to be less the result of a systemic lack of capacity – for lack of evidence of that – than of the reliance on ideology with its specific content, leading to a lack of tolerance for ideational and organisational challenges. The first two subsections compare observations on the counter-terrorism bureaucracies and the location of policy authority over the affected regions. The next two subsections deal with related points on institutional openings for conciliatory and process-based *structural* measures and the identity of the agents implementing counter-terrorism policy. The last subsection revisits changes to the Russian political system to demonstrate how counter-terrorism as a function of systemic survival and the sustainment of legitimacy can be used to alter existing institutionalised power relationships for good.

#### **V.2.2.2 Counter-terrorism bureaucracies: subject matter expertise vs. “exclusive responsiveness”**

In both states, the development of counter-terrorism bureaucracies reflects different emphases in the threat perception and accordant means of counter-terrorism as well as whom the government in power is most responsive to. The latter point was hypothesised based on Albrecht and Frankenberger’s (2010b, 55-57; 2011, 30-32) concept of *exclusive responsiveness* and Geddes et al.’s (2014, 315, 318) propositions concerning the political influence of “leadership groups” at II.5.5.3. In Russia, the counter-terrorism structure has always been heavy on intelligence. This emanates from the FSB’s assignment to head the first IATC and its prominent, though not leading, position within the FATC prior to the formation of the NAK (III.5.2.1). The NAK still embodies this old understanding although it has requisitioned regional and republican executive and administrative bodies to conduct non-kinetic prevention since 2013. What truly stands out about the body is how it institutionalises the influence of Putin’s main supporting constituency considering the ample policy-making, command and control functions the FSB holds there vis-à-vis the political ministries and other actors involved and the lack of oversight of its counter-terrorism engagement under 35-FZ of 2006 (III.4.2, III.5.2, e.g. Luchterhandt 2006, 2-3; Saradzhyan 2006, 176-180). Thus, the NAK not only

reflects the interests of the group the leadership is *exclusively responsive* to. It also turns that responsiveness into a credible commitment into the future by cementing the group's influence and suiting it with broad powers. In China, the counter-terrorism bureaucracy has, just like the larger system, generally reflected the prevalence of the CCP. This point is seen with the highest-ranking counter-terrorism decision-making organ – the National Counter-Terrorism Work Leading Organ (NCTWLO) – being a leading small group from 2013, a setup that fast-tracks CCP-conform policy-making in sensitive policy areas (IV.4.2.1 Noesselt 2016, 76).

As far as the question to what extent counter-terrorism policy reflects the groups' of *exclusive responsiveness* interests is concerned, at least with Russia, there is a chicken-and-egg question. The mere fact that an intelligence service has been entrusted with the design and implementation of a counter-terrorism model that is heavy on intelligence and extrajudicial operations, precisely matching that service's competencies, does not say anything about whether the strategy or the agents in charge are the fulcrum. For the PRC, the CCP's dominance across institutions involved in coercive, communicative and what I follow Schneckener (2006) in calling *structural counter-terrorism* is obvious. So is the fact that counter-terrorism policy has always been in the party's best interest. On a side note, the party's unitary appearance tempts one to treat it as a black box whereby it is quite unlikely that all its high-level members and factions always pull together. Under a stricter notion of *exclusive responsiveness* one should open up that black box and examine the players and outcomes of intra-party deliberation. Thus, I can only find relationships of *exclusive responsiveness* to be reflected in the counter-terrorism institutional structure and to concur with strategic preferences on the condition that the party is accepted as homogenous in its interests, and I cannot attribute strategic variation to this concurrence. Meanwhile, both authority models confirm that counter-terrorism is bureaucratically dominated by those groups which incumbents are *exclusively responsive* to. One difference then is the identity of the group. Another difference lies in the fact that, in Russia, the counter-terrorism bureaucracy not only reflects the larger system but has been a tool in its re-modelling by institutionalisation of a new pattern, thus securing the legitimacy and permanence of such an arrangement into the future (see V.2.2.6). Those arrangements' policy impact, however, remains uncertain for the moment.

### **V.2.2.3 Regional and subject-specific policy authority, cadre policy**

The assignments of policy authority over the regions home to terrorist groups and over policy areas related to counter-terrorism reflect the governments' counter-terrorism policy priorities and the larger power arrangements in the system, partly also variation in co-optation patterns. In Russia, setting aside Putin's brief but unsustainable interest in economic development with Kozak on the SFD plenipotentiary post and once again after Medvedev's presidency, cadre policy on that post exposes a clear preference for hard security (III.5.3, e.g. Holland et al. 2017, 617-619). Beyond that subject-matter preference, Putin's primary assignment of "uniformed

bureaucrats” other than the FSB to plenipotentiary posts and filling of other functions with *Pitersy* to cement his own power position constituted a set of co-optive measures (III.5.3.1, e.g. Baev 2004a, 4-8) in that it granted them policy privileges as co-optation-typical concessions (II.5.9.1, e.g. Gandhi and Przeworski 2007, 1282). This fits with Beetham’s Theory of the Legitimation of Power as being what I have outlined as a form of incentivised commitment that prevents them from otherwise destabilising the system (II.5.3.5/5.9.1). Thereby, counter-terrorism again emerges as a venue for fulfilling legitimacy interests not immediately related to terrorism.

In China, the importance of the situation in XUAR emanates, for instance, from the conventions of XWF1 and 2 in 2010 and 2014 attended by the entire Politburo Standing Committee (IV.10.3.1, e.g. CQCD 2010b, 783; Klimeš 2018, 417). It also emanates from the creation of a special bureau for Xinjiang affairs within the UFWD, attesting to XUAR affairs as in need of special consideration outside of the standard minority and religious affairs portfolio (IV.4.2.1, e.g. Klimeš 2018, 419). The appointments of Zhang Chunxian and Chen Quanguo as regional CCP secretaries in 2010 and 2016, by contrast, implicated a specific approach to problem-solution at the time – in 2010 economic development, in 2016 embarkment on the same “scorched-earth policy” that had previously worked in Tibet (Lam 2017; see IV.4.4, e.g. Warikoo 2016, 184-185).

The allocation of policy authority and cadre policy for the respective geographic and policy areas in both systems thus indicates governments’ recognition of their importance and pays tribute to the setting of different policy priorities. Meanwhile, the observation of using the allocation of policy authority and counter-terrorism relevant posts as a co-optation mechanism is unique to Russia.

#### **V.2.2.4 Conciliatory and structural counter-terrorism<sup>935</sup>**

At II.3.4 and 3.5, I conceptually separated conciliatory models based on Sederberg (1995) from what I follow Schneckener (2006) in calling *structural counter-terrorism*. I distinguished among the former between collective and selective conciliation and among the latter between process-based (political-institutional) and condition-centric measures. The case studies demonstrate how closely intertwined these models are in practice. That is partly because of their accommodating logic and partly because of the capacities used to implement them.

Moscow has granted several of the NCFD republican heads substantive autonomy concerning politics in general, economic policy and substantive (though variegated) Islamisation of everyday life and politics while paying the lion’s share of their annual households (III.8, e.g. Koehler et al. 2016). Although neither have those concessions been admitted to nor explicitly framed as counter-terrorism measures, given the NCFD’s stabilisation, they are clearly part of

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<sup>935</sup> Based on various subsections in part III, this subsection contains similarities with Korte (2015; 2016a; 2016c).

a successful counter-terrorism strategy. The absorption of former militants into the federal structure through amnesties first constituted instances of selective conciliation as theorised at II.3.4: It had the benefits of draining the insurgency and gathering intelligence for targeted coercion (III.5.2.2, e.g. Gilligan 2010, 83-85; Lyall 2010a), precisely as theorised for amnesties at II.3.4 based on Gvineria (2009), Cronin (2006, 25-27) and Sederberg (1995, 305, 307). The fact that similar attempts were made in Dagestan in 2010 and 2012, though unsuccessful there for a variety of reasons (III.6.3, e.g. Souleimanov and Aliyev 2016), shows both an ability and willingness to conciliate. Chechnya remains unique in the systematic nature of the conciliation that had autonomy, including security functions, ceded to former Islamo-separatist fighters headed by the Kadyrovs (III.8.4, e.g. ICG 2015a, 39; Russell 2008). This cannot be understood as anything other than conciliation at large, administered via process-based means.

Beijing has not made conciliatory efforts in this direction or allowed the ethnic autonomy system to be implemented to its full constitutional extent to house institutionalised bargaining processes that might fall under the process-based structural models (IV.10.2). Rather, the formal system of autonomy is hamstrung by institutional hierarchies (e.g. Moneyhon 2002) and its effects are offset by strategic boundary-drawing and migration management (e.g. Bovingdon 2004b, both IV.10.2.1) as well as the presence of the XPCC as a powerful independent lever of control to implement policies bypassing the autonomous governance structure (IV.4.3.3, e.g. Becquelin 2000, 78-79; Zhu, Y. and Blachford 2016). Quotas for minority representatives in the political-administrative system are prevented from constituting any real integration of deviant opinions since these cadres can only rise through the nomenklatura system. They can barely be considered true minority representatives and do therefore not fall within my elite-oriented conceptualisation of co-optation at II.5.9 (IV.10.2.1; e.g. Chung 2006, 85). From my observations, I cannot account for the absence of either process-based or conciliatory measures in China by the absence of co-optive capacity as proposed at II.5.9. However, the seriousness with which the CCP eyes and seeks to prevent the formation of ethnic elites and their institutional representation is seen as a corollary of the ideology-related reliance on organisational monolithisation and mobilisation as well as the specific content of CCP ideology with respect to the idea of unity.<sup>936</sup>

By contrast, regarding co-optation in Russia, the political system has three advantages in terms of capacities for conciliation and devolving autonomy as a process-based measure. First, as already outlined by Beetham (2013, 157; see II.5.3.5), a government in a multiparty system does not rely on systemic monolithisation as a condition of legitimate power. The system tolerates a certain amount of dissidence which is balanced horizontally and vertically. The second characteristic is the system's neopatrimonial nature. I have argued that the ability to

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<sup>936</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135).

selectively conciliate at such a systematic level and implement autonomy politically-institutionally concurs with a larger co-optive potential in the Russian system. I have also argued that co-optation as a concept is too narrow because it does not account for the personal loyalty dimension that is considered almost equally important to governance arrangements in the NCFD, particularly with Kadyrov in Chechnya.<sup>937</sup> Neopatrimonialism emerges as an appropriate denominator for the convergence of personalism, sometimes of what I have followed Albrecht and Frankenberger (2010b) in modelling as *exclusive responsiveness*, and co-optation. Without going further into *how* different neopatrimonial systems function, I argue that *because* they *do* function and because that functioning involves constant co-optation,<sup>938</sup> the devolution of political autonomy to republican presidents in the NCFD was possible in the formal system *because* it was backed up informally: personally and economically. The third reason why the Russian system is such a co-optation-friendly environment is connected to counter-terrorism itself. The verticalisation of power during Putin's first two presidencies augmented presidential influence in the larger system as a precondition for him to use that leverage to transfer policy authority and use cadre policy for co-optation (III.5, e.g. Kryshstanovskaya and White 2003; Perovic 2006, 6-7). Together, these multiparty characteristics, neopatrimonialism and verticalisation of power provide ample space for co-optation at the hands of the president in the formal-institutional sphere. Yet, since neopatrimonialism and verticalisation are not generic characteristics of what Wahman et al. (2013; 2017) – or any comparable typology for that matter – define as M-PEA, it is hard to appraise to what extent being an M-PEA accounts for the selective conciliatory and process-based structural potential by virtue of systemic co-optive potential in the sense envisaged at II.5.9.

To summarise, the non-observation of conciliatory or such *structural* measures that would have included recognition of the legitimate interest of other groups or devolution of power to them cannot be explained in terms of co-optive capacity in the single-party system. Yet, there is sufficient evidence of a willingness to not concede any power or legitimacy and that that is related to reliance on organisational monolithisation in what Beetham refers to *mobilisation mode* and to the specific content of CCP ideology with respect to national unification. Meanwhile, neopatrimonialism and the verticalisation of power provide good arguments for the existence of the capacity to co-opt in Russia. At least with respect to co-optive potential, this is in line with the non-deterministic expectations articulated based on the relatively more deterministically modelled impact of “institutional” or “state capacities” in Fjelde (2010) and Wilson and Piazza (2013) at II.5.9.3. That is in addition to the tolerance of dissidence and customariness of co-optation envisaged following Beetham (2013, 157) and Fjelde (2010, 203-

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<sup>937</sup> (III.8, e.g. Cornell 2012, 123, 143-146; Halbach 2018, 6, 13-15, 30-31; Koehler et al. 2016).

<sup>938</sup> (Erdmann and Engel 2007; Holland 2016, 58; Mommsen 2017, 58-61; Robinson 2018, 250-256 citing Erdmann and Engel 2006).

204) as per multiparty nature alone. Thus, my empirical work only substantiates the conjecture made at II.5.9.3 to a small part.

#### **V.2.2.5 Bodies implementing counter-terrorism policy**

The institutions implementing counter-terrorism policy again resonate with both the broader structure of the political system and with updated counter-terrorism policy. In Russia, the key body still is the FSB, uniquely empowered to flexibly conduct CTOs with far-reaching rights implications absent any judicial or even executive oversight and in combination with its authority over other institutions (III.5.2.3, e.g. Luchterhandt 2006, 2-3; Saradzhyan 2006, 176-180). This was already discussed at V.2.2.2 via the institutionalisation of a group of what Albrecht and Frankenberger (2010b) call *exclusive responsiveness* as one form of securing incumbents' legitimacy. The relationship with the various armed forces, by contrast, is partially characterised by *exclusive responsiveness*, partially by co-optation. It is acknowledged that the commencement of the Chechen CTO in September 1999 did the general staff a major favour and, in its quick development into large-scale combat, coincidentally or not co-opted rival factions among the *siloviki* in the competition for the spring 2000 presidential elections (III.6.2, e.g. Blank 2000; Dunlop 2014, chapt. II-IV). Although I reject the proposition that those strategic choices were only goods traded for co-opting the military, the effect of the appeasement was still positive. And while the creation of Rosgvardia as a new counter-terrorism actor had more to do with stabilisation other than counter-terrorism, an institutional competitor was created to balance the FSB (III.5.2.4, e.g. Galeotti 2016b; 2017b). Summarily, in Russia, assignment of specific parts of the security services and armed forces to the task of counter-terrorism has served legitimation in two ways. Directly, it has institutionalised the influence of a group of *exclusive responsiveness* as proposed at II.5.5.3. Indirectly, it has aided legitimacy via the reciprocal relationship between stabilisation and legitimacy as theorised based on Beetham (2013, 33) and Schmelzle and Stollenwerk (2018; II.5.3.4), for instance, by appeasing the military in 1999 or by the creation of Rosgvardia to counterbalance the FSB's weight.

A comparable utilisation of counter-terrorism for institutional power politics was not observed in China. A reason may be that the actors implementing counter-terrorism have always been partially or fully controlled by the CCP, for instance, the PLA, historically "the party's army" (Mattis 2018; IV.4.3.1), or the XPC as a military-agricultural, now paramilitary-economic institution that is fully integrated into party structures (IV.4.3.3, e.g. Becquelin 2000, 78-79; Zhu, Y. and Blachford 2016). Other institutions are, even after bureaucratic reforms, still generally subject to CCP influence by virtue of the nomenklatura system (Noesselt 2016, 85-88).

In comparison, the different positions of counter-terrorism institutions vis-à-vis the government and their subjection to various political chess moves in Russia are functions of the different natures of the two political systems with respect to their institutional legitimation but also a

playing ground for recalibrating it. It is in the nature of the Chinese single-party system that the party serves as the *second trench* of the Politburo, connecting all vital systemic functions back to the centre. That is precisely the way Cheibub et al. (2010, 86-87), Gandhi (2010, 29-31, 166) and Gandhi and Przeworski (2007, 1280, 1282-1283, 1293) envisage the relationship between *inner sanctums* and *second institutional trenches* in single-party regimes (II.5.5.2). It is also in such system's nature that no other "parties" or competing factions are permitted to wield power within the counter-terrorism institutions. In the Russian system, by contrast, this is definitely possible and even strategically applied to co-opt other interest groups, tying in with previous arguments.

#### **V.2.2.6 Systemic reforms in the course of counter-terrorism**

In China, counter-terrorism ties in with the CCP's general power position in the political system, bypassing and controlling the state through the nomenklatura system (Korte 2016c). In Russia, by contrast, counter-terrorism has functioned as a catalyst for reforms of the system itself. This was particularly the case during Putin's first two presidential terms with the erection of the Power Vertikal, erosion of the separation of powers, co-optation of alternative centres of power and cementation of the influence of Putin's main support constituencies from the *siloviki* and the *Pitersy* (III.5.3.1, e.g. Lemaître 2006). The most important steps in this respect were the federal administrative reform to form super-regions headed by presidential plenipotentiaries in 2000, several electoral reforms cementing the position of United Russia, the abolition of gubernatorial elections in the republics in 2004 and the cementing of the FSB's power position in the NAK since 2006 (ibid). Yet, I have cautioned against conceiving of the reforms as "instrumentalizing counterterrorism for regime consolidation" in Baev's (2004b) sense and argued in favour of the view of incidental effectiveness to that avail, advanced by Dannreuther and March (2008, 99-102).

In China, the observation that counter-terrorism is a function of the party's dominant position in the system emanates from the counter-terrorism institutional structure as much as it does from the threat narrative. It also emerges from the citation of national unification and socio-economic development as both threatened by and a panacea to the TSE complex, and from the use of intelligence and mobilisation capacities in line with the CCP's broader ideological and government patterns. This does not preclude securitisation towards *inter alia* increased discursive power and security-based performance legitimacy to bolster existing legitimacy (re)sources (V.2.3). Yet, the system itself has not been subjected to significant changes in that course. At least in Russia, where unity as a counterpoint to terrorism became a force that catalysed systemic reforms, this gives credit to Pepinsky's (2013) admonition to view "institutions as epiphenomena" rather than exogenous causes of policy.



### V.2.2.7 Summary of the comparison of institutions and conciliatory counter-terrorism

This section has explored how the structure of counter-terrorism institutions, conciliatory counter-terrorism and partly what I follow Schneckener (2006) in calling *structural counter-terrorism* relate to phenomenon-specific policy developments and to governments' legitimacy (re)sources. The focus was on what Albrecht and Frankenberger (2010b, 55-56) call (*exclusive*) *responsiveness* and co-optation. Beyond institutional expertise in the prioritised areas, the structure of both counter-terrorism bureaucracies reflects the established patterns of *exclusive responsiveness* and provides a framework for new or further institutionalisation of a specific arrangement in Russia. A similar observation is made regarding the relationship between the allocation of policy authority over and posts in the affected geographic and policy areas. These double as co-optation, transferring posts and policy privileges at the regional level to consolidate the influence of Putin's network (e.g. Baev 2004a). Moreover, the devolution of policy authority in Russia entails selectively conciliatory and process-based measures that are so systematically conciliatory to the separatist and Islamist milieus that they are condition-centric. No observations of comparably substantive and interlocking conciliatory and process-based *structural* measures nor of any type of conciliation were made in China (Korte 2016c). Parts of the processes of selective conciliation and granting political-institutional autonomy can in fact themselves be characterised as co-optation as defined at II.5.9.1, consistent with the system's larger co-optive potential. Yet, since the policies encountered dually rest on personal relationships and co-optation, the larger pattern fits well with and is also better explained by neopatrimonialism (III.9.3.5, e.g. Koehler et al. 2016). Meanwhile, the ability to dismiss and reappoint republican leaders acquired in the verticalisation of power plays a role, too (III.5.3.2-3, e.g. Kuchins et al. 2011, 18-19).

The given research design primarily permits for exploring the legitimacy-related capacities that allow for the choice of a certain type of counter-terrorism model from the repertoire where I have repeatedly distanced myself from the deterministic take on policy impact taken in Fjelde (2010) and Wilson and Piazza (2013). In this sense, Russia's neopatrimonial character and the verticalisation of power are found to be permissive factors for implementing process-based (political-institutional) counter-terrorism measures next to its M-PEA nature by Wahman et al.'s (2013; 2017) standards. For China, I cannot state on the basis of my observations that conciliation or process-based measures were not chosen in concurrence with or because of a lack of systemic co-optation capacity. However, the CCP is clearly not willing to co-opt because the recognition of alternative organisational logics and devolution of power would challenge single-party rule at an organisational and ideological level, specifically with respect to the question of national unity.<sup>939</sup>

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<sup>939</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Korte 2016c; Zhu, Y. 2011).

Meanwhile, among the agents implementing counter-terrorism, co-optation has also been observed between the different parts of Russia's institutional structure. The primary difference between the two cases is that in Russia, counter-terrorism authority is a good traded for system-global stabilisation through co-optation, whereas no relevant operative actors exist outside the party in China. A final observation, subsuming system-specific responsiveness and co-optation patterns, is that in Russia the relationship between counter-terrorism and government legitimacy is not only reciprocal via what Beetham (2013) calls *due performance* on the *general interest*. This also goes for the institutionalisation of support networks, co-optation and amendments to the larger system of responsiveness in the name of counter-terrorism. Counter-terrorism institutions thus confirm Beetham's (2013, 118, 127) understanding of institutions as "solutions to [...] legitimation problems". The impact of that institutionalisation on counter-terrorism policy in the way of Geddes et al.'s (2014, 315, 318) propositions on the political influence of "leadership groups", however, could not be substantiated for lack of fine-grained evidence.

### V.2.3 Coercive counter-terrorism

#### V.2.3.1 Overview

While this dissertation's theory-testing goal is to refute the Paradigm's assumption of autocratic governments' uniform and exclusive use of coercion in absence of legitimacy considerations (II.4.2, e.g. Wilson and Piazza 2013, 941), it does not raise any claims as to the absence or extent of force used. Indeed, both countries have relied on coercion but with significant differences regarding the scale and discriminatory of kinetic force, the direction of its development, the means and ends of criminal justice and the means and ends of surveillance. This subsection compiles these differences by comparing the development of the use of force, its targets and agents in the two cases (V.2.3.2), the development and deployment of the respective criminal justice frameworks (IV.2.3.3), the extent and ends of surveillance (IV.2.3.4) and the justifications and narrative strategies to derive (performance) legitimacy in relation to coercive engagement (IV.2.3.5). The use of surveillance entails the largest difference. This is accounted for by the subjection of XUAR's Uyghurs to a scale of psychological coercion since 2014 and accelerated since 2016 that exceeds Russia's surveillance capacities and interests by several orders of magnitude. I argue that the key difference here is not one of capacity but of motivation – motivation that relates to reliance on ideology and on ideology's specific content – and on what Beetham calls *mobilisation mode* in the case of China, all of which are absent in Russia. Further insights derived from the respective narratives on the conduct of coercion and its effectiveness are that, even there, both governments are legitimacy-oriented.

### V.2.3.2 *The use of force and amnesties*<sup>940</sup>

Against the backdrop of Russia's military intervention in Chechnya and the ongoing de-extremification campaign in XUAR, there is no denying that both governments have relied on a significant amount of coercion. That was at least at some point and in some part indiscriminate, although the latter only applies to the psychological component in China. The strategies' development differed with Russian coercion becoming more discriminate over time and Chinese coercion less so. In Russia, the use of kinetic force has developed from a spatially confined conventional *armed conflict paradigm* in Crelinsten's sense (II.3.3.1) at the onset of the Chechen CTO towards much more discriminacy, beginning with the transfer of operational authority from the MO to the FSB in January 2001 (III.6.2.2, e.g. JWIT 2015a, 597). More discriminate kinetic force continued to be applied in the course of CTOs under what I classify as an *expanded criminal justice model* following Pedahzur and Ranstorp (2001; e.g. Souleimanov 2017) for the entire period of analysis. The main observation for Russia is not the military intervention in the first years but the development towards discriminacy that followed. That is despite the reinvigoration of coercive efforts after Putin's return to the presidency in 2012 (III.6.2, e.g. Souleimanov 2017).

Within its own *expanded criminal justice approach*, China has with the PLA, PAP and XPCC also relied on non-law enforcement agents of force. However, Chinese CTOs did not reach a kinetic impact comparable to the military phase of the Chechen CTO. I have argued that the strategic approach itself has been relatively consistent over time in combining extrajudicial suppression of specific incidents with accelerated, intense but discriminate criminal justice measures in strike-hard campaigns and latent psychological deterrence (IV.6). The core development with respect to the use of force was merely a change in the legal framework underpinning it: the 2015 counter-terrorism law (IV.5.3, e.g. Li, E. 2016, 371-372) and the various amendments to the PRC Criminal and Criminal Procedures Codes (IV.5.2.3, e.g. Zhou, Z. 2014, 147-153). That development does not primarily pertain to the quality of kinetic coercion applied but rather to the legalisation of measures implemented extrajudicially before (IV.5.2.4, e.g. Li, E. 2016, 349) and to their embedment within a permanent strike-hard mindset (IV.6.4, e.g. Zhou, Z. 2014, 139). I also find that the psychological component is, in fact, an outstanding one across time, whether it be in the form of what Wayne (2009, 255-257) calls "the force of bodies", i.e. the sheer number of potentially deployable (para)military and security forces present in XUAR (PLA, PAP and XPCC), or the indiscriminate psychological coercion effectuated by the expansion of XUAR's technology-based and human intelligence apparatus since 2014 (IV.6.4/IV.9, e.g. Roberts 2018).

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<sup>940</sup> Based on various subsections, this subsection contains similarities with Korte (2018a; 2016c).

A good part of the successful pacification of Chechnya can be attributed to the transfer of coercive power to the Kadyrovsky and to the integration of co-ethnic units in the Russian military (III.5.2.2, 6.2.2, 8.2.2, e.g. Souleimanov 2015). As theorised at II.3.4.2 based inter alia on Sederberg (1995, 304-305, 307), aside from draining the insurgency, these have served as unique sources of intelligence, permitting for targeting the remainder of the militant scene more discriminately (III.5.2.2, e.g. Gilligan 2010, 83-85; III.6.2.2, e.g. Souleimanov 2015). Although attempts to replicate the model in Dagestan failed, they did exist (III.6.3, III.8.3.3, e.g. Souleimanov and Aliyev 2016). In China, by contrast, comparable attempts to selectively conciliate members of the militant scene have been notably absent. However, given the otherwise high surveillance capacities there, lack of information can be discounted as a factor constraining the discriminate use of force. Meanwhile, there is an important difference between the actors deployed beyond the shared set of military, paramilitary, police, intelligence and security services: Moscow has additionally relied on amnestied rebels and co-ethnics as local agents, Beijing on the XPCC. This leads to a second point, namely that the purely kinetic view discounts the difference in the sheer number of armed forces present in XUAR, their projective effects and the psychologically coercive components of the ongoing de-extremification campaign. These have had little parallel in Russia other than possibly at the height of the Chechen CTO in 2002 to 2003.<sup>941</sup>

Thus far then, the uses of force in the two countries bear some similarities in the overall level used between 2001 and 2015, but there are three key differences. One is the direction of the development – in Russia towards more discriminacy, considering the *armed conflict paradigm* before 2001; in China towards less discriminacy, considering the evolution of psychological coercion post-2014. The second difference lies in the reliance on the psychological effects of force presence which was more salient in China than in Russia. The third lies in the presence versus absence of conciliatory counter-terrorism embedded with coercion.

### **V.2.3.3 Criminal justice<sup>942</sup>**

The Russian UK RF has developed gradually from containing a single terrorism offence (Art. 205) with a broad yet existing definition of terrorism to include Contributing to Terrorist Activity (Art. 205.1) in 2002, broadened and supplemented by Art. 205.2 criminalising Public Justification of Terrorism in July 2006 (III.4.2). These were the first criminal law instruments to prevent terrorist activity by predating criminal liability through preparatory offences although initially they were not commonly adjudicated (III.4.6.3, e.g. Kostromina 2018, 10-11). This changed with amendments in 2013 and 2014 which introduced additional preparatory offences in Articles 205.3 through 205.6 and expanded the range of criminally relevant activities (III.4.4).

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<sup>941</sup> Ucko (2015, 17-21) compares force presence and impact in the two cases to conclude that both have resulted in societal “atomisation” in the sense of Arendt, a conclusion that I do not share.

<sup>942</sup> This subsection is partly based on my comparative legal research project (Korte 2018a; 2018b; 2019b).

After that, the numbers of both filed and adjudicated terrorist and extremist cases rose dramatically, particularly under Articles 205.2 (including online) and 205.5 (relating to activities of proscribed terrorist organisations) (III.6.4.3, e.g. Kostromina 2018, 10-12; 2019b). Despite criticism from different directions, the transition from broadly using kinetic force towards predominant reliance on criminal justice, with UK RF amendments to expand liability for preparatory offences and adjudication by military tribunals, fits Pedahzur and Ranstorp's (2001) *expanded criminal justice* framework. This also enhances the impression of increasing discriminatory as these changes permit for the judicial prevention of terrorism before it can only be pre-empted kinetically.

China adhered to an *expanded criminal justice model* from the outset in terms of agents applying force, treatment of TSE as state security crimes and the goal of prevention, thus matching Pedahzur and Ranstorp's (2001, 5-6; II.3.3.2) criteria. Yet, the full potential of that approach was also built up only through several rounds of amendments to the 1997 PRC Criminal Code from 2001, at the very latest with Amendment IX (2015). The criminal justice component has become a potent tool of prevention (IV.5.2.4, e.g. Li, E. 2016, 362-363) that has, despite some difficulties with data in that sphere (Li, Z. 2015, 587-588), been used actively. Noteworthy elements are an increased punitiveness in the code and the adjudication of offences (Li, E. 2016; IV.5.2.5/6.4), the extension of the criminal justice tools to not only tackle extremism, increasingly online (IV.6.4, e.g. HRW 2017), but also the degree of politicisation and their focus on XUAR's Uyghur Islam. Beijing has often been accused of failing to distinguish between individual parts of the Three Evils (e.g. Zhang, C. 2019a, 6-8, 14, 16). In view of the wider approach, specifically the lack of distinction between the "propositions and conduct" components of terrorism and extremism, for instance, in Art. 3 of the 2015 Counter-Terrorism Law (IV.5.3, e.g. Zhou, Z. 2016a), even as definitions have generally become more fine-grained, driving forces appear to have been the conscious acknowledgment of ideology's role in terrorism as much as its understanding as a state-security threat in its own right (IV.3.4.2/7.3-4, e.g. Klimeš 2018, 419-421). However, there are major differences in comparison with Russia. Here, the terrorism and extremism offences are formulated generically and have thus also been applied to activities characterised by other political motivations (e.g. Crimean independence; III.6.4.3, e.g. HRW 2018c). In China, at least the XUAR Implementing Measures (2016/2018) for the National Counter-Terrorism Law indicate a very specific orientation towards XUAR Uyghur Islam in their reference to "the concept of halal" or prohibitions on Islamic dress and symbols; the De-Extremification Regulations (2017/2018) even more so (IV.5.4). Moreover, the regular focus on religious extremism or "illegal religious activities" in strike-hard campaigns since 1996 (e.g. in 1996-1997: Dillon 2004, 84-92; or in 2014, see e.g. "Xinjiang Notice" 2014) and the explicit prioritisation of political considerations in criminal proceedings, for instance, after Urumqi (2009) (IV.6.3, e.g. HRW

2009a, 19-20; 2009b), are less neutral than criminal justice in Russia. A final component that ties in with the psychological component of XUAR's force presence is the degree to which criminal justice in XUAR has embraced the notion of deterrence. This is embodied in the conduct of public mass-sentencing rallies and live executions, already in the 1990s (IV.6.2, e.g. Al 1992) and, after a period of their apparent disbandment in the 2000s, again since at least 2014 (IV.6.4., e.g. Li, E. 2016, 379-380). Russian criminal justice, by comparison, has been much less high-visibility and has not exploited the deterrent nature of sentencing and punishment in the same way.

Summarising these observations on the use of criminal justice in coercive counter-terrorism, the overall development was from indiscriminate to discriminate in Russia in both the kinetic and the criminal justice sense. In China that trend was the reverse when accounting for the prosecution of extremism and the extension of psychological coercion (below). While in both countries, a set of criminal justice tools was created and broadened to tackle and pre-empt terrorism including via the extremism-nexus in what largely fits an *expanded criminal justice model* in the sense of Pedahzur and Ranstorp (2001), the scope of politicisation is clearly different. Specifically, in China, one cannot escape the impression that the law has first and foremost followed political threat perception, be it in its focus on extremism or Uyghur-specific implementation. The overt deployment of criminal justice in the service psychological deterrence is also unique to China.

#### **V.2.3.4 Surveillance, mobilisation and their ends**

In both countries, surveillance has been an important part of coercive counter-terrorism, but they differ greatly in terms of their intensity, derivative activities and effects. In Russia, the practice of *profuchet* may have had coercive effects based on surveillance only, particularly in Dagestan (III.6.4.1; III.8.4.3, e.g. HRW 2015b, 46-47). Yet these have not amounted to the degree of pressurisation via pairing surveillance and counter-mobilisation witnessed in XUAR since 2016. On top of the CCP's genuinely deep penetration of the social system, the mix of technology-based surveillance and human intelligence expanded in XUAR in the course of grid management, the construction of so-called "convenience police stations" (IV.9.3), a variety of physical control measures (IV.9.2) and the two education campaigns since 2014 (*fanghuiju* and *jiedui renqing*; IV.9.4) have erected a region-wide system that, to all intents and purposes, resembles Foucault's panopticon (IV.9.6, e.g. Roberts 2018, 236, 245-251). In XUAR as of 2018, the party can, at any given moment, know everything and oversees a set of softer tools of what Klimeš (2018) calls *ideational governance* while credibly upholding the threat of residential re-education in one of the de-extremification centres. Thanks to the interlocking character of these three characteristics, that system is capable of combining the identification and demobilisation of (potential) extremists with their ideological indoctrination and what

Adrian Zenz has coined as Uyghurs' "social re-engineering" from 2014-2016 (IV.9.5-6, e.g. Byler and Grose 2018; Zenz 2018c, 23).

There are several logical and systemic preconditions for this effort. One is the diagnosis of extremism as underpinning terrorism ideologically and as constituting a state security threat in its own right (IV.3.4.2, e.g. Clarke, M. 2018; Klimeš 2018, 419-421). Another is the diagnosis of radicalisation as an infectious disease that befalls those insufficiently firm in historic, ideological and patriotic matters so that surveillance and re-education are justified in their blanket-coverage extent and content (IV.3.4.2, IV.9.6, e.g. Zenz 2018c, 20-21). The third is more of a systemic backdrop: the combination of surveillance, ideological work including extensive mobilisation and social management in larger China seen under the Fifth Leadership Generation. It explains neither the extent of the measures nor their potency. It does, however, reinforce the impression that what is witnessed in XUAR is a spatially and ethnically confined version of high-tech *State Socialism* that reaches from the technological level (Collins 2015) to the human side. It thus reintegrates what Beetham (2013, 157, 183) and Holbig (2011b, 169-170) identify as critical functions in the legitimation of *state-socialist* systems in *mobilisation mode*: the combination of the *demobilisation of public dissent* with the mobilisation of *performative consent*. The system that results in XUAR is more powerful than what they picture in theory and what Holbig (2013, 74-75) empirically shows for China at large. That is because the "educational" part seems designed to surpass the degree of *self-closure* Beetham (2013, 104-108) deems possible in terms of ideas, thus tackling the norms-based character of the legitimation of power at a Weberian level. Whether that works out at all, is an open question. Yet, at the behavioural level alone, I have argued that the anticipated standardisation of Uyghurs' ethnic and cultural identity to Han role models (IV.9.4, e.g. Byler and Grose 2018; Meyer, P. 2016a) may in the long-run contribute to the CCP's legitimation. These contributions are (i) aiding national unification as an ideology-contained performance goal<sup>943</sup> and (ii) "trainees'" participation in patriotic activities (IV.9.6, e.g. HRW 2018b, 37-42), embodying the very type of "surrogate consent" characteristic of *state-socialist systems* in *mobilisation mode* to fulfil the third criterion of legitimate power (Beetham 2013, 90-97, 155-156, 182; II.5.3.3). Ultimately, my explanation is based on reverse logic from the system's effects which contain logically high incentives that may explain the CCP's willingness to pursue this type of solution. Given the observation of nascently similar capacities and traits in the larger system, China may indeed be considered a *state-socialist* system in *mobilisation mode* by Beetham's standards, historically formed around sustaining the party's "monopoly of truth in the realm of doctrine, and a monopoly of organisation in the sphere of political activity" (2013, 157). That may render some of the surveillance, education and mobilisation capacities simply outgrowths of the system's generic functional logic. Secondly, the importance of national unification in

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<sup>943</sup> (IV.3.3.1, e.g. Zhu, Y. 2011; IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018; IV.10.2, e.g. Ma, R. 2010, 55).

CCP ideology explains the willingness to uphold and, in XUAR's case, perfect the system of obstructing dissent, disseminating ideological norms and eliciting *performative consent*.<sup>944</sup>

This system not only exceeds the Russian surveillance system by several orders of magnitude in terms of coverage and capacities but is also totally different in its aims. The aim of Russia's surveillance system has been to prevent acts of terrorism and the dissemination of extremist ideology via interception and, if possible, criminal indictment, not to remodel anyone's identity. SORM and Roskomnadzor seek out information, filter, block and remove it, mostly through *intermediary liability* (Maréchal 2017, 31-32, 34-35; III.4.4-5; III.5.2; III.7.4). Yet, individuals have been targeted comparatively rarely (Soldatov 2017, 52) nor with any comparably "mobilising" measures that would aid the legitimisation of power in any other way. In terms of society's infrastructural penetration, United Russia wields power in republican parliaments and neopatrimonialism has it that leadership networks penetrate the economic and political systems as informal levers of influence (e.g. Robinson 2018, 247-259). Yet, this does not reach the general degree of congruity between party and state in China, let alone mass education or mobilisation in any way, shape or form. The Russian leadership lacks this infrastructural capacity entirely despite Roskomnadzor's growing importance in regulating and shaping the information space (III.7.4). Moscow also appears to lack the intent to acquire and exploit such potential to a comparable degree. That, in turn, can be linked to a lack of necessity absent reliance on either what Kneuer (2017) calls "ideational-identitarian argument patterns" in the way the CCP does on ideology or on *mobilisation mode* as the corresponding mode of *consent*.

#### **V.2.3.5 Justifications and (performance) legitimacy**

Notwithstanding the differences in the use of criminal justice and the means and ends of psychological coercion, both governments have justified their coercive efforts and portrayed themselves as effective on catering to what Beetham describes as the *general interest* of security, though at different levels and with different second-order legitimacy-relevant claims. In Russia, the justificatory elements of the threat narrative appeared most prominently at the onset of the Chechen CTO (III.3.2.3), but diagnosis and prognosis interlocked throughout (e.g. Campana 2014, 251-257). The effects in terms of public approval of the engagement provide evidence of at least some degree of effectiveness. Such evidence lies, for instance, in public acceptance of intrusive measures and, though fading, for military engagement (III.7.2, e.g. Abdullaev and Saradzhyan 2006b, 367-368) as well as Putin's steady popularity ratings in the CTO's course (see Levada 2020). It has also been observed that while the governmental narrative seeks to cite counter-terrorism successes as sources of performance legitimacy, for instance, in the context of Chechnya's reintegration into the federation (III.6.2, e.g. Snetkov 2012, 531-534) or the publication of CTO reports (e.g. Henman 2012), arguments of necessity

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<sup>944</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135; see also Korte 2016c).



and proportionality are raised in parallel (III.6.4.2, e.g. Vatchagaev 2014d). Thus the impression is maintained, as argued by Beetham (2013, 138-139), that coercion occupies a justified place within the preservation of a larger legitimate power relationship precisely because it is aimed at the preservation of security and because the government is even trying its best to avoid casualties on the opposing side.

In China, various iterations of delegitimation and securitisation have also identified the respective targets of coercion as legitimate and Beijing's intervention as justified (IV.3.4.1, e.g. Anand 2018; Barbour and Jones 2013). However, a comparably systematic tendency to reclaim performance legitimacy from tactical operations could not be observed. Success is cited at a strategic level, where various White Papers glorify XUAR's stability, or in the publication of "transformation success rates" as cases in point of de-extremification's effectiveness (Zenz 2018c, 2, 12-14; IV.9.6). Meanwhile, Beijing has consistently emphasised counter-terrorism's conduct in accordance with the law, be it the various amendments to the PRC Criminal Code (IV.5.2.4, Li, E. 2016, 349) or the 2015 Counter-Terrorism Law (IV.5.3), stability-related governance of religion and ethnic affairs already in the mid-1990s (IV.7.2, e.g. "Opinions on #7" 1996, 29-36) or the sinicisation of religion today (IV.7.4.1, e.g. "Freedom of Religious Belief" 2018, I). Further examples are Xi Jinping (quoted in Xinhua 2014I) when calling for high intensity counter-terrorism operations (IV.6.4) or Chairman of the XUAR Government Shohrat Zakir (2018) when interviewed on the "vocational training"/de-extremification effort (IV.9.6). The above-mentioned explicit prioritisation of political considerations in counter-terrorism and Xi's general clarity on the doctrinal authority of the party (e.g. Lam 2016, 413) are points that contradict any notion of a substantive rule of law. However, the actual adoption of the batch of counter-terrorism legislation analysed in section IV.5 is a case in point for at least adherence to a procedural rule of law notion (Korte 2018b). This ties in with traditions of rational-legal legitimation patterns in China (e.g. Guo 2003; Holbig and Gilley 2010) and with the CCP's ideology-contained quest to "rule the country according to law" under the Four Comprehensives.<sup>945</sup> Moreover, just like the Russian justification strategy, it pays tribute to a desire to embed coercion as a stabilising accessory within the framework of an overall legitimate power relationship as proposed by Beetham (2013, 138-139).

Assessing and comparing the effectiveness of these justificatory claims and the degree of performance legitimacy *de facto* derived from them is beyond the scope of this dissertation. Yet, their existence and extent, whether effective or not, indicate that both governments preoccupy themselves with whether their citizens perceive their coercive counter-terrorism measures to be justified and lawful or not. This is consistent with the observed prevalence of

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<sup>945</sup> (IV.6.5, e.g. Klimeš 2018, 425-428, 434; see IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 330, 334, 337).

“legitimacy claims” across autocracies in Grauvogel and von Soest (2017) and von Soest and Grauvogel (2015; 2017) but, more importantly here, ties in with my wider argument that authoritarian counter-terrorism does not take place in a legitimacy vacuum.

#### **V.2.3.6 Summary of the comparison of coercive counter-terrorism**

At II.5.2.3, I pointed out that one of the hurdles for refuting the Paradigm’s criterion of uniformity, taken from Wilson and Piazza (2013, 941), would be taken if the cases are found to differ in respect of the sub-models of counter-terrorism applied. The extent to which the Russian and Chinese approaches to coercion have differed, even though they can both be subsumed under Pedahzur and Ranstorp’s (2001, 5-6) *expanded criminal justice model* (II.3.3.2), qualifies as such variation in the light of at least the following three differences. One is the presence of a temporally and spatially confined *armed conflict paradigm* in Russia, absent in China. Another is the development towards more discriminatory in both kinetic coercion and a procedurally rule of law-compliant criminal justice component in Russia with ideologically neutral offences. China, by contrast, has implemented a broadening set of less precise, but more Uyghur-specific measures embedded in an approach that admits to its own politicisation. A final point is the relatively permanent presence versus now absence of psychological components with the physical force presence (save for Chechnya in 2002-2003; Ucko 2015, 17-21), criminal justice and surveillance measures. Unfortunately, one cannot forgo the impression that coercion in China has become fairly paradigmatic at least in the psychological sense since 2014-2016, but this has no impact on my ability to infirm the notion of uniformity in authoritarian counter-terrorism.

Why do the two countries use psychological coercion and criminal justice so differently? One aspect might be that the Russian leadership lacks the capacities inherent in the co-extensiveness of party and state in China. I find these to be corollaries of a *state-socialist system* revolving around legitimation via ideology (Beetham 2013, 182-186) more than capacitated or constrained by the generic information-gathering capacity envisaged for ideologically neutral O-PEAs in Wahman et al.’s (2013) conceptualisation and based on the insights of, for instance, Fjelde (2010, 199-201; II.5.5.2). Meanwhile, the weightier factor is not capacity but motivation. In China, this motivation seems linked to the CCP’s reliance on ideology, on its specific content and on what Beetham calls *mobilisation mode* of consent. Specifically, I have argued that in principle the PRC case is historically consistent with a *state-socialist system’s* regular mode of functioning. Yet, the perfectionism to which the combination of *demobilisation of dissent*, ideological indoctrination and *mobilisation of consent* have been brought is co-motivated by an understanding of TSE to pose a threat to the ideology-contained performance goal of national unification<sup>946</sup> and dependence on the *mobilisation of performative*

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<sup>946</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135; see Korte 2016c; 2018a).

*consent*. That motivation is absent in Russia for lack of either reliance on a comparably comprehensive ideology in general, such specific performance goal in particular or on *mobilisation mode of consent*.

Two further legitimacy-related points emanate from the context of coercion. The first is that, as expected (II.5.6-8), performance on counter-terrorism is indeed emphasised as a case in point for performance legitimacy. In Russia this is the case at both the tactical and strategic level, in China only at the strategic one, i.e. the level of overall results. The second point pertains to justification patterns which in both cases locate measures within Beetham's (2013, 138-139) logic of the necessary or at least acceptable role of coercion as an accessory in any legitimate power relationship. Here, the component of lawfulness is much stronger in the Chinese narrative. I cannot comparatively assess whether the respective populations buy into the justifications or de facto evaluate their governments' performance as more positive based on that framing for lack of data on China. However, the narratives' existence does indicate a governmental preoccupation with popular legitimacy. This ties in with the general impression that autocratic counter-terrorism does not operate in a legitimacy vacuum, not even coercive counter-terrorism.

## V.2.4 Communicative counter-terrorism

### V.2.4.1 Overview<sup>947</sup>

In the theory part, I defined communicative counter-terrorism as explicit verbal or visual communication or its management for counter-terrorism purposes. Target-centric models address the public at large, influencing public discourse in order to minimise the social production of risk and fear and, by extension, terrorists' ability to propel and instrumentalise the former to attain their goals (II.3.6.2, e.g. Beck 2008, 29-36; Wilkinson 2011, 159-161). It entails measures and policies to deny attention, e.g. through censorship, and build resilience (e.g. Coaffee 2006, 396-400). Actor-centric communicative counter-terrorism aims at preventing or countering radicalisation. This includes measures and policies that foster intercultural and -religious dialogue, counter-narratives to weaken and deconstruct extremist ideologies as well as deradicalisation programmes (II.3.6.3, e.g. El-Mafaalani et al. 2016; Schmid 2013; Schneckener 2006, 222-223).

As detailed at II.5.8.3, the predominant view in the extant literature is that autocratic governments suppress dissent and censor and control their media. Aside from the effects of censorship on denial of attention, this precludes any constructive notion of resilience-building or an interactive grappling with ideology as part of my target-centric and actor-centric models. By contrast, I proposed to take the morally detached conceptual stance of discursive power as a resource of legitimation and operationalised it following Jungherr et al. (2019) along the

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<sup>947</sup> Based previous subsections, this subsection contains similarities with Korte (2019a).

degree of *political parallelism* and the *regulatory environment*. I expected governmental discursive power to be an asset in the implementation of any and all of the communicative models and proposed that in Russia as an M-PEA by Wahman et al.'s (2013) standards, the government would wield less discursive power than the Chinese government. That is because as an O-PEA with the additional presence of ideology, the Chinese system would, following Beetham (2013, 157, 182-183), be designed to reproduce doctrine which comes with high discursive power despite limitations on the *degree of self-closure* (33-34, 104-108; see II.5.3.5/5.8.3). Another proposition was that, due to the importance of ideology's unassailability to the CCP, the Chinese government would not translate discursive power into interactive radicalisation prevention because that would entail an implicit admission that official ideology has its limits (II.5.8.3).

These propositions are tested in comparison of the overall communicative counter-terrorism strategies (V.2.4.2), the relative weight of governmental discursive power as a resource (V.2.4.3) and the governments' relationship with Islam (V.2.4.4) in communicative counter-terrorism. The latter is based on my understanding that dealing with jihadist ideology is primarily a communicative endeavour. Both countries are found to implement comprehensive communicative counter-terrorism strategies that cover the entire range of theoretical models. Yet they have come from different starting points, and the Chinese de-extremification campaign has recently become rather paradigmatic. Thus, only the Paradigm's criterion of uniformity (Wilson and Piazza 2013, 941) is refuted here. Regarding the origins of variation, discursive power is found to concur with breadth of communicative counter-terrorism but not to explain the variation found. Instead, comparison sheds light onto the relationship between understanding and framing of the threat, on the accordant adaptation of strategy and on how the expansion of discursive power has been justified by the requirements of communicative counter-terrorism rather than facilitated or restrained it.

#### **V.2.4.2 *The overall communicative counter-terrorism strategies***<sup>948</sup>

Today, both cases cover the entire range of communicative counter-terrorism, but their strategies have differed in their historical development as well as in their rationales. The Chinese strategy has been comprehensive from the outset in that it has always included actor- and target-centric elements based on TSE's diagnostic embedment in a "struggle in the ideological domain" (Zhang, Xiuming 1998, 75; IV.8.2). Accordingly, for the better part of the period analysed, that struggle focused on the components of ethnic separatism and religious extremism as competing ideologies rather than on the theoretically relevant tactical symbolic contestation of order embodied and effectuated by physical acts of terrorism (II.2.3/3.6, e.g. Crelinsten and Schmid 1992, 322-330). Censorship, removal of information and the imposition

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<sup>948</sup> Based on previous subsections, this subsection contains similarities regarding threat perception with Korte (2015, 2016a; 2016c; 2018a) and concerning communicative counter-measures with Korte (2018a; 2019a).

of blackouts only shifted into tactical denial of attention from 2009 (IV.8.3.1, e.g. Al 2010, 16), moreso since adoption of the National Counter-Terrorism Law in 2015 (IV.5.3/8.5.4, e.g. Xinhua 2015a). As far as actor-centric engagement is concerned, the initial diagnosis was that “ordinary people [...] had been instigated, deceived, and duped” (Wang, Lequan 1997a, 43, see 37; IV.8.2.1). Based on that, the CCP has continuously embarked on a strategy of “educating” XUAR’s Uyghurs – area-wide and somewhat involuntarily since 2014 – in the “correct view” of XUAR’s history and themes of ethnic unity and patriotism through scholastic education and omnipresent propaganda. This has lacked any of the discursive interaction typically proposed by (counter-)radicalisation scholars (II.3.6.3, e.g. Schmid 2013). On the one hand, such discursive engagement has always been consistent with the identification of TSE as a complex ideational threat whose countering involved measures aimed at reinstating CCP ideology’s ideational dominance. On the other hand, such “education” has consistently doubled as combining threat defusion with the positive and more general advancement of ideology-contained goals as a form of *ideational governance* (Klimeš 2018).

The entire spectrum of communicative counter-terrorism is observed in Russia today. At the onset of the Chechen CTO, news embargoes and new accreditation mechanisms did constitute the first target-centric denial of attention measures (Abdullaev and Saradzhyan 2006a, 195) but they mostly supported the use of kinetic force by grooming public opinion on the home-front (III.7.2, e.g. Miakinkov 2011, 674). In the name of counter-terrorism, the *regulatory environment* was changed through amendments to media law (e.g. Herd 2000, 59-60), then the *degree of political parallelism* raised by pressurising the transfer of ownership of large media companies to Kremlin-friendly oligarchs (e.g. Baev 2004b, 340-341). By April 2003, the degree of *political parallelism* was high enough to assure media complicity with the Kremlin, indicated by Putin’s vetoing of further amendments to the *regulatory environment*, refraining from coercive-type target-centric measures in favour of voluntary self-regulation (III.7.2.2, e.g. Simons and Strovsky 2006, 203-207). From 2009 onwards, Russian communicative counter-terrorism began to embrace actor-centric prevention through outreach to the Islamic community and the spreading of counter-narratives online to curb “the dissemination of terrorist ideology” in the sense of the Concept on Counter-Terrorism (2009, 15b; see III.7.3). The adopted tools of what Ermoshina and Musiani (2017), following DeNardis and Musiani (2016), call “governance by infrastructure”, i.e. the amendment of the *regulatory environment* and the control of access, were significant additions to the Kremlin’s discursive power more generally. While these were at least partly justified in terms of counter-terrorism, they also sped up the attainment of what Nocetti (2015) calls “digital sovereignty” as a generally useful part of discursive power as a legitimacy resource (III.7.3.2, e.g. Blank 2012, 21-23; Ermoshina and Musiani 2017). Next to intensifying these efforts, subsequent to his return, Putin also focussed on actor-centric prevention through education and counter-narratives, advocating “teaching

patriotic values and ability to resist socially dangerous behaviour [...and] to breed public rejection of and civic immunity to the dissemination of extremist and radical ideas” (Putin 2014d; see 2015a; III.7.4). These efforts are simultaneously part of actor-centric prevention and of target-centric resilience-building. Notably, this resilience is understood less in reference to mitigating the intersubjective construction of risk and fear in public discourse as a condition instrumentalised by terrorists to attain their goals as suggested by Posner’s (2002) “regulatory model” or Crelinsten’s (2014, 9) “psychosocial model” (II.3.6.2). Rather, Articles 78 and 79 of the National Security Strategy (2015) indicate the extent to which terrorism’s *ideology of violence* component is deemed at least as threatening as the physical part. Thus, resilience is not only, as is typical for it (Coaffee 2006, 396-400), approached with generic aims. Those aims are not terrorism-specific but communicative counter-terrorism has become the generic and preventively system-reinforcing type of “ideological labour” proposed by Heath-Kelly (2015). That has been justified explicitly in terms of the ideational rather than the instrumental, fear-exploiting dimension of terrorism. Coincidentally, communicative counter-terrorism and the “traditional values” further propagated in its course have thus flown into the Kremlin’s self-legitimation strategy past what Sakwa (2013) and Robinson (2018, 97-102) call the “cultural turn” (III.7.4.2).

These developments show first, how the broadening of Russia’s communication strategy has followed threat perception and the perceived requirements of tackling that threat even though at the onset of the Chechen CTO those requirements were only indirect. The breadth of China’s communicative counter-terrorism strategy has generally also consisted with its understanding of the threat. That has always been attentive to the ideological component to the extent of paying more attention to ideology than to the tactical-symbolic nature of terrorist activity as such. There, the primary difference concerns the starting point (denial of attention to tactics in Russia, to ideology in China). Secondly, radicalisation-preventive and resilience-building measures differ in their content and in the procedures of their administration. The Kremlin has shown itself willing to grapple with the underlying ideologies through interactive actor-centric communication since recognition of their importance, although it has mostly outsourced that responsibility to Islamic leaders through repeated encouragement since Medvedev (e.g. 2011b; III.7.3.2, III.7.4.2). Beijing has, though recognising that point from the start, shown itself unwilling to discursively interact with the underlying ideologies. Instead it has chosen to censor them and paint them over with propaganda, most recently turning that engagement into the fusion of threat dismantling with indoctrination and what Beetham calls the *mobilisation of performative consent* (V.2.3.4). In the 2010s, the two communicative strategies have in both their actor- and target-centric capacities contributed to the dissemination of ideas and norms underpinning the legitimation of power in the respective ideational/ideological frameworks, somewhat consistently with Heath-Kelly’s (2015)

propositions as to “ideological labour” in the course of counter-terrorism. Meanwhile, the extent of that effort and the systemic capacities of its administration in China outrank the Russian effort by far.

#### **V.2.4.3 Communicative counter-terrorism and growing discursive power<sup>949</sup>**

In both cases, the scope for communicative counter-terrorism has concurred with governmental discursive power. Both governments have also used the securitisation of terrorism, and in Russia to a lesser, in China to a greater extent, extremism, as well as arguments concerning communicative counter-terrorism to alter two baseline conditions of discursive power: what I have followed Jungherr et al. (2019) in operationalising as the *degree of political parallelism* and the *regulatory environment*. Yet, these developments have differed between the two cases in the extent to which countering terrorism and extremism was an important argument, in the size of the leverage gained and in the ultimate outcome. At minimum, said fusion into counter-indoctrination in China is extraordinary but spatially and ethnically confined to XUAR’s Uyghurs while in many ways consistent with the discursive governance of China in general. In Russia, by contrast, the gain in governmental discursive power is system-global and has itself made a difference.

For Russia, I have shown that the *regulatory environment* was amended at least twice (1999 and 2012-2016) and the *degree of political parallelism* at least once. The first amendment to the *regulatory environment* in the name of counter-terrorism was via media law in 1999 in a way conducive to propelling public support for the CTO as well as for Putin’s ascendance to power (III.7.2.1, e.g. Herd 2000, 59-60; Pain 2005a, 69-73), but also already with implications for the Kremlin’s discursive power more generally (e.g. Blank 2012, 21-23). The growth in *political parallelism* effectuated by forcing the transfer of ownership in significant private media from Berezovsky and Gusinsky to Putin-friendlier businesspeople in the name of counter-terrorism similarly leveraged governmental discursive power at large (III.7.2.1, e.g. Baev 2004b, 340-341). The third instance of leveraging governmental discursive power was the expansion of infrastructural control in the counter-terrorism context through legislation and the bolstering of Roskomnadzor, mostly between 2012 and 2016 (III.4.4, III.7.3, e.g. Ermoshina and Musiani 2017). Data localisation law and the blocking of opposition leader Navalny’s website are but two examples of how the adoption of regulations and creation of instruments of actor-centric radicalisation prevention or target-centric resilience-building, though here more in reference to terrorism’s ideologically threatening character, have been useful to the attainment of “digital sovereignty” and the further leveraging of governmental discursive power in the online sphere (ibid; Nocetti 2015). In addition to various means of discursive power, the content of counter-narratives is found to be dual-use. The “traditional values” propagated as a target-centric

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<sup>949</sup> Based on various sections in III, this section contains similarities with Korte (2019a).

measure to raise resilience and to prevent radicalisation at the actor-level are very much in line with the larger legitimisation strategy pursued by the Kremlin since what Robinson (2018, 97-102), following Sakwa (2013), calls the “cultural turn” (III.7.4, e.g. Putin 2014d; see Verkhovsky 2018).

In China, the CCP enjoys substantive discursive power. This is cemented by its control over the propaganda and education systems (*political parallelism*) and sustained via a party-created *regulatory environment* that limits open discursive contestation at least for legitimacy-sensitive issues such as TSE (IV.8, e.g. Brady 2012a, 165; Luqiu and Yang 2018). It has kept pace with the development of technology in terms of propaganda (e.g. Brady 2009, 442-444) and in adopting a managerial approach to the internet in the 2000s (e.g. Tsai 2016, both at IV.8.3.2). Moreover, ideological work has flourished as a means of legitimisation in the Xi Era more generally (IV.8.4.1, e.g. Brown and Berzina-Cerenkova 2018). Across the spectrum, communicative counter-terrorism has profited from that discursive power (Korte 2016c). Still, extraordinary measures were added to that capacity in reference to TSE to “educate” XUAR’s Uyghurs in the 1990s (IV.8.2.1, e.g. “Work Program” 1996, 87-88), pursuing extremism online or cutting off XUAR’s internet after 2009 (IV.8.3.2, e.g. UHRP 2010) and the uniquely restrictive and mobilising complex of education and de-extremification campaigns since 2014 (IV.8.4.2/9.5, e.g. Klimeš 2018; Meyer, P. 2016a).

The extent and effects of discursive power, possibly even power over ideas, that the CCP has gained in the course of those campaigns is in and of itself as well as in addition to the two legitimacy-relevant behavioural-level effects (V.2.3.4, see Klimeš 2018; Roberts 2018) far greater than the discursive power and legitimisation potential gained by the Kremlin. On the other hand, in China these effects are spatially and ethnically confined, whereas in Russia, the expansion of governmental discursive power is less deep but still substantive. Moreover, in terms of a resource of governmental legitimacy gained, that discursive power is system-global when one considers the powers of Roskomnadzor or the coverage and impact of data localisation law. This is accessory to the option of, at some future point, fencing the RuNet as a sovereign space access to which is limited and content of which can be eliminated, permitting for the control of dissidence in online, medial and partially private discourse (e.g. Soldatov 2017, 53-55). However, independent and government-critical reporting do remain possible (Kutscher and Himmelspach 2018). Meanwhile, the content spread is dual-use in its nature. It contains precisely those “traditional values” with representation and guardianship of which Putin has underpinned his claims to power or what von Soest and Grauvogel (2015) call “legitimacy claims” since 2012 (III.3.4.1). A limiting observation is that although the *degree of self-closure* is rising, those “legitimacy claims” are far from amounting to the legitimating power of an ideology. This is shown by von Soest and Grauvogel’s (2015, 11) modest appraisal of the role of ideology in Russia and Kneuer’s (2017) use of the term “mission” instead (III.3.4.1).



That growth of discursive power is currently more about the leveraging of potential for communicative *self-closure* in the legitimation of power in the sense of expanding a dual-use capacity than about its realisation.

Those differential leveraging dynamics and their outcomes in mind, the question as to that variation's origin in terms of legitimacy (re)sources as capacities becomes a tough one that unfortunately only yields idiosyncratic answers. As previously argued, reliance on ideology and specifically the notion of national unification in CCP ideology are factors that have historically conditioned the construction of the system so as to legitimate and sustain its own core functions (II.5.3.5, e.g. Beetham 2013, 157). Yet, they also incentivise the willingness to uphold and, in XUAR's case to perfect, the system of obstructing dissent, disseminating ideological norms and eliciting *performative consent*.<sup>950</sup> In Russia, what Kneuer calls "ideational-identitarian argument patterns" were not, at least not in the period preceding their observation, relied upon either as systematically or as comprehensively as ideology in China. High discursive power did not form as a historically contingent second-order effect to such reliance. Yet it is possible that the Putin Administration is trying to enhance that pattern's legitimating capacity precisely by revving up its discursive power and that countering the "ideology of violence" is a welcome opportunity here. Then, relatively idiosyncratic though the explanation is, at least it refers to a common desire to exploit a more (ideology) or less ("ideational-identitarian argument pattern") comprehensive system of norms for legitimation.

#### **V.2.4.4 Islam: counter-narratives, resilience and counter-indoctrination<sup>951</sup>**

With respect to Islamo-separatist and Jihadist terrorism, the relationship between the two governments and Islam as a religion and an institution is an important avenue of communicative counter-terrorism. This concerns radicalisation prevention and, as far as terrorism is also considered to constitute an ideological threat, resilience-building. Both governments have encouraged Islamic clergy to counter extremist narratives, yet they have done so in different ways. This ties in with the broader relationships between the two governments and Islam which have differed greatly in their motivations and means. China's reliance on the unassailability of ideology and on its specific content (popular sovereignty as *justification of rightful authority* and national unification as *general interest*)<sup>952</sup> raises vulnerability to TSE, threatening both. It also incentivises the assertive pursuit of national unification and the combination of what Beetham (2013, 157, 183) and Holbig (2011b, 169-170; 2013, 65, 74-75) call the *demobilisation of dissent* with *mobilisation of consent*. Here, the organisational principles of the state are an asset, as already envisaged by Beetham (ibid), as is the recent discovery of religion as a source of mobilisation for the party-state. These factors

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<sup>950</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011; see also Korte 2016c; 2018a).

<sup>951</sup> Based on previous subsections, this subsection contains similarities with Korte (2015; 2016a; 2016c; 2019a).

<sup>952</sup> (Beetham 2013, 89, 132, 155-156, 181-182; Holbig 2006, 11-15; 2013, 64).

jointly incentivise and facilitate counter-indoctrination rather than discursive grappling with extremist ideas. By contrast, the Kremlin does not rely on ideology nor on mobilisation for the legitimisation of its power, at least not to a comparable degree. This comes on top of Beetham's (2013, 157) proposition regarding a multiparty system's tolerance of dissidence. Russian muftiates can be permitted relative freedom in discursively grappling with extremism (III.7.4.2) and the NCFD republics given the autonomy to islamise (III.8). Meanwhile, the breadth of the "multi-ethnic and multi-religious" civic identity propagated by Putin since 2012 (e.g. Putin 2013b) also accommodates various degrees of Islamisation in the NCFD as part and parcel of rather than incompatible with Russia's new national identity (Robinson 2018, 97-102).

In China, the CCP's general stance on religion has developed from relatively passive suspicion towards it as a competing ideology eyed for its mobilising potential (IV.7.2.1, e.g. Lai, H. 2006, 58) into the active pursuit "guiding religion to adapt to socialist society". That is done via imposing ideological education and mobilising requirements on the five official religious associations. With the latter, there has been a marked intensification since the 18<sup>th</sup> CCP Congress in 2012, culminating in the adoption of new Religious Affairs Regulations in 2017 (IV.7.4., e.g. Meng, Y. 2018). XUAR Uyghur Islam has consistently been special because of its role in TSE: In the 1990s, the primary concern was that of religion's role as a staging ground for separatism (ideologically and organizationally; IV.7.2.2, e.g. Wang, Lequan 1997a, 37, 40; see Fu, H. 2012, 344-345), in the 2000s because of terrorists' perceived switch of tactics (IV.7.3.2, e.g. AI 2002, 24-26; HRW 2005a, 19-21) and from 2014, based on the identification of religious extremism as the underlying ideology of terrorism as well as a state-security threat in its own right (IV.3.4.2/7.4.2, e.g. Clarke, M. 2018; Klimeš 2018, 419-421). Beijing has done everything to defuse that threat through the imposition of regulations, control and use of criminal justice. It has also exploited the institutional and doctrinal control gained to turn a former legitimacy threat into a legitimacy asset, as XUAR's imams preach Core Socialist Values and mobilise their congregations for the party-state (IV.7.4.2, e.g. Famularo 2018, 45-49). Actor-centric communicative counter-terrorism when it comes to religion has thus, again, tied in with the larger pattern of a lack of interactive discursive engagement, and again the de-extremification campaign is the pinnacle of that development.

In Russia, by contrast, muftiates are independent of the state and interact with the government on eye level. Despite all the talk of "traditional values", including Islamic ones, the portrayal of Russia as an "islamophile" country (III.3.4, e.g. Laruelle 2016, 2-3) and embrace of conservative values as a neo-traditional source of legitimacy for the current leadership (III.3.4.1), Russian Islam is not a source of political mobilisation for the Kremlin. Chechnya, where the SBM is subordinate to the political leadership, and Kadyrov explicitly uses Islam for mobilisation purposes, is an exception (III.8, e.g. Zhemukhov et al. 2018, 199). After Putin's initial "demonisation" in 1999 (Russell 2005b), the Kremlin's relationship with Islam at federal

level is now characterised by partnership with the all-Russian SBMs (III.3.4; III.7.4) and tolerance of the Islamisation of everyday life in at least three of the NCFD republics (III.8). Although the official narrative has since the 2010s been bifurcated between “traditional Russian Islam” under the SBMs and an ill-defined but demonised residual category of “non-traditional Islam” (III.3.4, e.g. Laruelle 2016, 2-3), the extent of persecution or repression faced by Salafists in some of the republics (Chechnya and, since 2013, Dagestan) is still less systematic than the Chinese de-extremification effort.

The differing institutional and ideological relationships between Islam and the respective regimes (in the sense of broader systemic power relationships) form the backdrop against which the content of counter-narratives and resilience-oriented communicative counter-terrorism are better understood. If the Kremlin’s legitimisation of power in any way relies on mobilisation via religion, it is the endorsement of the ROC’s leaders and their congregations (III.3.4.4, e.g. Mommsen 2017, 120-125), less so that of the muftiates. Muftiates have been encouraged to dispute *with* extremist content as part of radicalisation prevention rather than just override it through counter-indoctrination. Absent reliance on ideology and accompanying mobilisation, there is more tolerance for dissident thinking in Russia as long as this does not involve violence. The government can accept non-violent forms of Islamism in the NCFD and have Islamic clergy debate and design appropriate counter-narratives, at least since Medvedev (e.g. 2011b; III.7.3.1). The fact that Putin (e.g. 2013b) has gone to lengths to show his appreciation of Islam as part of Russia’s “multi-ethnic and multi-religious” identity (e.g. Laruelle 2016, 2-3) has provided an embracing framework for the Kremlin’s tolerance of Islamisation in the NCFD. The CCP, in contrast, relies much more on the unassailability of ideology and on the monolithisation of thinking as proposed at II.5.3.5 and II.5.8. It has discovered the indoctrinating and mobilising power of the official religious organisations towards that and requisitioned them accordingly (IV.7.4.2, e.g. Famularo 2018, 45-49). And, when it comes to XUAR, though developments have in many ways tied in with those at the national level, it is the salience of the “ideological threat” in terms of content and alternative mobilisation potential that is found to incentivise the rather radical stance taken (e.g. Klimeš 2018, 419-421; III.7.5).

#### **V.2.4.5 Summary of the comparison of communicative counter-terrorism<sup>953</sup>**

At least the Kremlin’s comprehensive communication strategy that has involved all of the theorised components of communicative counter-terrorism (II.3.6) breaks with the paradigmatic assumption that autocratic government’s approach to the communicative aspects of terrorism and radicalisation would be limited to and defined by censorship (e.g. Piazza 2015) or “mass indoctrination” (Byman 2016, 79-80). Yet there is no denying the fact

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<sup>953</sup> Based on the preceding subsections here, this section contains similarities with Korte (2019a).

that the Russian *regulatory environment* and *degree of political parallelism* (Jungherr et al. 2019) have not only (been made to) become major assets in the implementation of that strategy but that that has also not gone without some degree of coercion at some point either, considering the fate of Berezovsky (III.7.2, e.g. Baev 2004b, 340-341). Yet, neither does the Kremlin control the entire discursive space, nor has it resorted to manifest individual repression (III.7.4, e.g. Soldatov 2017, 52) because of the technical part's reliance on "intermediary liability", blockage or denial of service (Maréchal 2017, see III.4.4). As far as China is concerned, the communicative counter-terrorism approach has historically been very broad due to concerns for the ideological threat emanating from the ethno-separatist and religious components to TSE rather than the tactical-symbolic nature of terrorist activity.<sup>954</sup> Although that changed around 2009, the entire approach has become rather paradigmatic, especially considering the de-extremification campaign. Accordingly, I can only reject the Paradigm's criterion of uniformity taken from Wilson and Piazza (2013, 941).<sup>955</sup>

Concerning the question of why the two communicative strategies have developed the way they have, capacity is not a strong enough explanation, not even in my modest understanding as a facilitating factor. High discursive power as a resource of legitimacy does concur with a broad and robust communicative counter-terrorism strategy as proposed at II.5.8.3, but it has been leveraged in the course of counter-terrorism, too. Moreover, threat perception, strategic and with China also ideology-related considerations seem to be strong policy drivers.<sup>956</sup> High discursive power is thus considered necessary for the implementation of a broad communicative counter-terrorism strategy, yet as a condition, it is not independent of counter-terrorism itself but actually co-dependent. As such, it is discounted as a source of variation in authoritarian counter-terrorism.

Summarily, comparison in this section has yielded three insights pertaining to this dissertation's goals. First, authoritarian communicative counter-terrorism is not uniform and is shown to potentially encompass broad and non-coercive elements of target-centric denial of attention, resilience-building and actor-centric radicalisation prevention, but it can also be coercive. Secondly, the capacity inherent in discursive power as a resource of legitimacy alone is discounted as a source of variation. However, the presence and content of ideology as well as threat perception are potential sources of variation although only ideology relates to the research interest in the influence of legitimacy (re)sources on variation in autocratic counter-terrorism. An additionally interesting point is the leveraging of discursive power based on securitisation.

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<sup>954</sup> This argument was raised in Korte (2015; 2016a; 2016c; 2018a).

<sup>955</sup> Again cf. Ucko (2015, 8-10) to the conclusion of relative homogeneity in control and suppression of dissent.

<sup>956</sup> This argument was raised in Korte (2015; 2016a; 2016c; 2018a).

## V.2.5 “Structural counter-terrorism”

### V.2.5.1 Overview

*Structural counter-terrorism*, a term which I borrow from Schneckener (2006), was conceptualised as preventing terrorism via addressing its tactical nature and those grievances that relate to what Eyerman (1998) calls *political access* arguments. At II.3.5, I distinguished between process-based (political-institutional) policies and measures and condition-centric ones that address underlying, for mobilisation purposes exploitable (causes of) grievances (e.g. Crelinsten 2014, 9). The Paradigm would logically hold that autocrats solve their terrorism problem through the use of force, not through structural prevention. Given that the relationship between regime type and *structural counter-terrorism* was not previously a subject of research, the SFC questions were formulated openly. Based on a review of theoretical systematic predispositions towards co-optation, I posited that an M-PEA’s – by Wahman et al.’s (2013) standards – higher tolerance of dissidence (e.g. Beetham 2013, 157; Fjelde 2010, 203-204) renders it better able to structurally accommodate groups with other interests (co-opt them), whereas China as an O-PEA but, following Beetham, also a *state-socialist system* in *mobilisation mode* and relying on ideology, would not do that. That hypothesis was already discussed at V.2.2.4 to the avail that it is found true but that there are two additional assets in the case of Russia. One is the system’s neopatrimonial character, which permits backing up formally granted autonomy with informal political and economic networks, the other one being the augmentation of presidential power to devolve power and use cadre policy to co-opt after the verticalisation of power. This subsection explores a range of differences in the pursuit of economic development as a condition-centric model and the nexus between regional autonomy and ethno-religious policy as process-based and also condition-centric means. While differences abound, it is difficult to discern causes of variation. In China, much can be explained in recourse to the CCP’s reliance on ideology, its specific content and *mobilisation mode* whereas ideology’s absence concurs with a different set of policies in Russia. Yet, neither that absence nor the observed co-optation potential can be attributed conditioning potential.

### V.2.5.2 Economic development as condition-centric policy

Socio-economic development as a condition-centric *structural* counter-terrorism policy has been one of the most important components of Chinese counter-terrorism strategy. In Russia, first Putin’s (2004b) then Medvedev’s (e.g. 2009c) seemingly comprehensive diagnoses never turned into systematic measures on the ground. Strategy-2025 was neither specifically designed as a condition-centric structural prevention policy nor very successful, ironically failing to account for the security situation (III.3.3; III.8.3, e.g. Markedonov 2012, 105-108). Only indirectly has Moscow in the form of financial aid to Chechnya for reconstruction and as part of its economic levelling policy contributed the largest share to Chechnya’s, Ingushetia’s

and Dagestan's budgets (III.8, e.g. Holland 2016, 56-57; Zubarevich 2015, 47, 55). This has in turn allowed their leaders to draw up their own socio-economic development programmes, particularly in Ingushetia and Chechnya. Yet, neither of these was part of a broader condition-centric federal policy drive.

Beijing, by contrast, has consistently fostered economic development in XUAR through various grand strategies and missions (Double Opening, Great Western Development, Leapfrog Development, OBOR) that were at least *inter alia* flagged out as condition-centric *structural* policies. At a closer glance, two rationales emerge that do not fit my original modelling. One is the diagnosis for TSE as part "of the class struggle under new historical conditions" (Wang, Lequan 1997b, 60; see IV.3.2/10) such that the prescription of enhanced economic and social development is embedded within the CCP's larger developmental mission (IV.3.2, e.g. Kerr and Swinton 2008, 119-126; Zang 2015, 22-25, 30, 151). That acceleration of class struggle into a progressive unified future has long been the CCP's authorising mission *qua* Marxist-Leninist ideology. The upshot from this embedment is that ideology provides a convenient diagnostic framework for the situation, including setbacks, in such a way as to confirm the CCP's role as a vanguard of modernisation and more generically as a capable problem-solver, as discussed by Holbig (2009; 2011a; 2011b; 2015; 2018; IV.3.3.3). A legitimacy-relevant sideshow to that are the narratives of performance on the development front contained in various white papers (IV.10.3.1, e.g. "Xinjiang White Paper" 2009). A second point that ties in with that same rationale is how the designs of said strategies all more or less perpetuate a colonialist relationship with respect to infrastructural and economic dependence, resource expropriation and control, a point that serves strategic interests but also renders Beijing indispensable to the region (IV.10.3, e.g. Anand 2018; Becquelin 2000, 67-70; Gladney 1998).

No comparable script linking regional economic development to legitimacy directly or indirectly via the service of a colonialist struggle exists in Russia. Reigning in Chechnya and stabilising the NCFD have been part of Putin's major policy goals, and economic performance was important for Russia at large, at least during his first two presidencies (Kneuer 2017, 197-198; Taylor 2007, 3). Yet, economic development in the NCFD was neither comparably important indirectly, nor have economic or structural integration of the region with the centre followed an expropriating or colonialising manner framed in terms of counter-terrorism.

These observations suggest that the key differences for explaining the discrepancy in the presence and absence of socio-economic development as a condition-centric *structural counter-terrorism policy* between the two cases lie not in the diagnosis of socio-economic deprivation as a root cause of or condition exploitable for terrorism (II.3.5, e.g. Crelinsten 2014, 9). That is because that enlightenment was, though seen in Russia (e.g. Medvedev 2009c; Putin 2004b), not accompanied by direct federal policies to tackle its implications. Rather, one of two key factors appears to be how socio-economic development as a solution to the struggle

for joint development ties in with broader CCP ideology. This is a characteristic which Moscow lacks absent a Marxist-Leninist ideology with its thematic focus on development. The second factor is how economic development is as a source of performance legitimacy in general and in the specific region. This is consistent with the notion of welfare being a generic *general interest* as proposed by Beetham (2013, 137-138, xiii), but it also ties in with the idiosyncratic content of CCP ideology. For China, TSE in XUAR has a potential negative impact on the regional investment climate, on its thrust towards energy autonomy and on its assertion of all sorts of influence in Central Asia (IV.10.3, e.g. Callahan 2016; Tukmadiyeva 2013, 97-99). By the same token, it carries potential for aiding performance legitimacy on those issues. The economic factor has been less salient for the Russian leadership's legitimacy in general after 2012 (III.3.4.1, e.g. Kneuer 2017, 196-200; Mommsen 2017, 195) and not at all salient in Moscow's relationship with the NCFD republics.

### **V.2.5.3 Regional autonomy, ethno-religious policy as process-based and condition-centric policy<sup>957</sup>**

In correspondence with the ideological script of joint development, Chinese ethnic policy has also aimed for national unification as a panacea to ethnic separatism as part of the TSE complex. The emphasis on national unification can be attributed to the fact that ethno-separatist terrorism has both per violence and per the idea of its existence challenged one of the most important components of CCP ideology since the 1990s and to this day.<sup>958</sup> In response, national unification has simultaneously been a general policy goal and a condition-centric *structural* counter-terrorism tool. If anything has changed in that respect across the period of analysis, it is the assertiveness with which the CCP has since the discussion of *ningjuhua* from 1999 admitted to the goal of assimilation and of the strategic use of steered Han-migration (IV.10.2.1, e.g. Becquelin 2004) and pursued that assimilation more aggressively since the advent of "ethnic mingling" in 2014 (IV.10.2.2, e.g. Leibold 2014b). Yet, the goal of assimilation has essentially remained unchanged (e.g. Famularo 2018, 71-72). In its service, seemingly affirmative action measures such as Mandarin language training, cited as a panacea to TSE (IV.10.2.1, e.g. China Daily 2009b), have long doubled as assimilation measures (e.g. Roberts 2018, 239-240). Likewise, as argued at V.2.2.4, the system of territorially administered ethnic autonomy and training of ethnic minority cadres is anything but suited as a process-based means of structural prevention. That is down to the CCP's wariness of the formation of ethnic elites and their institutional representation as a corollary of the ideology-related reliance on organisational monolithisation and mobilisation and the specific content of CCP ideology with respect to unity.<sup>959</sup>

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<sup>957</sup> Based on various subsections in part IV, this subsection contains similarities with Korte (2015; 2016a; 2016c).

<sup>958</sup> (IV.3.3.1, e.g. Zhu, Y. 2011; IV.3.4.3, e.g. Brown and Berzina-Cerenkova 2018, 333, 335-337; IV.10.2, e.g. Leibold 2016, 235-236; Ma, R. 2010, 55; see Korte 2016c).

<sup>959</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135).

In Russia, a federal ethnic policy devoted or diverted to preventing terrorism does not exist. A possible explanation for this observed discrepancy in the existence versus non-existence of ethnic policy as part of the counter-terrorism strategy is that for Russia, the terrorist threat was neither consistently ethnicised, nor has anything akin to national unification ever occupied as prominent a role as it has done in CCP ideology. Rather, following the “cultural turn” in the leadership’s legitimation strategy, Putin has gone to great lengths to reconcile its reliance on the ROC and the white Caucasian nationalism it stands for with its “multi-ethnic and multi-religious” identity (Putin 2013b; see Mommsen 2017, 120-128; Robinson 2018, 97-102). These may be reasons why, in addition to the framing of jihadist terrorism emanating from the NCFD in religious rather than ethnic terms, there is not much of an ethnic component to Russian policy there. They may also explain why the relative independence that is at least in Chechnya congruent with ethnic fault-lines has not collided with identity-based performance goals. Moreover, and unlike Beijing’s ideology-related uncompromising stance on XUAR Uyghur Islam, the degree of Islamisation of everyday life that has been permitted by the Russian federal centre is a result of the process-based *laissez-faire* approach that culminates in republican religious self-determination as a form of condition-centric policy. By admitting and institutionalising Islamism, it forestalls the need for at least the more moderate portion of believers to violently pursue their goals, in line with arguments put forward under a larger “conciliatory” or “accommodating” approach (Bhoumik 2005; Sederberg 1995; II.3.4-5). A Xinjiang Islamist Autonomous Region, by contrast, is squarely unthinkable. As argued at V.2.2.4, the ability to grant such substantive policy autonomy seems to hinge on the lack of dependence on systemic monolithisation in Russia as an M-PEA (by Wahman et al. 2013) without reliance on ideology. Yet it also profits from the informal backup mechanisms that characterise governance in neopatrimonial regimes and the augmentation of the president’s personnel policy prerogatives in the course of the verticalisation of power.

Ultimately however, these two explanations operate at different levels. The Kremlin’s ability to devolve such a significant amount of political power to alternative centres of power is observed to concur with a *capacity* to do so. It remains unperturbed by – even fits in with – the “cultural turn” in the legitimation strategy that portrays Russia’s civic identity as “multi-ethnic and multi-religious” (Putin 2013b; see Robinson 2018, 97-102). For China, the level of capacities could not be observed and the elaborations on ethnic policy and the CCP’s larger legitimation of power pertain to willingness, not capacity. Meanwhile ideology, specifically in view of CCP ideology’s idiosyncratic content with respect to national unification, dictates a lack of willingness and proposes an assertively assimilationist rather than structurally accommodating solution.



#### **V.2.5.4 Summary of the comparison of “structural counter-terrorism”**

In the realm of what I follow Schneckener (2006) in calling *structural counter-terrorism*, variation is observed throughout both process-based (institutional-political) and condition-centric policy. With respect to economic development, variation lies between its presence, emphatic even, in China and its absence in Russia, at least at the federal strategic level. In the area of regional autonomy and ethno-religious policy as a mix of process-based and condition-centric measures, variation lies in the fact that Chinese process-based policy is essentially discardable and thus contrary to the very substantive and systematic autonomy in Russia, paired with different rationales and ends on the ethnic and religious policy fronts. Concerning the origins of variation, with socio-economic development, the content of ideology and the role of the region in economic development as an area of performance legitimacy are solid but idiosyncratic explanations for the types of policies encountered in China. For Russia, lack of any of the former concurs with the relative absence of comparable policies but does not explain it. When it comes to autonomy and ethnic/religious policy implemented either through or next to an autonomy system, the content of CCP ideology with respect to national unification again suggests itself as the origin of assertive assimilation policies. In combination with reliance on *mobilisation mode*, it is also an incentive not to systematically accommodate deviant interests (Korte 2016c). For Russia, the ideational/ideological level is not entirely absent, but in its relatively loose “ideational-identitarian argument pattern” character (Kneuer 2017) and inclusive rather than exclusive content, functions as a welcome framework, not as a constraint. Yet, neither that nor the co-optive capacity observed in the system are seen as the cause of the policies implemented.

### **V.3 Summary of theory-testing and heuristic findings**

#### **V.3.1 Theory-test: Is authoritarian counter-terrorism uniform and exclusively coercive?**

The primary goal of this dissertation was to test the Paradigm regarding homogeneity and deterministic application of force in authoritarian counter-terrorism (theory-testing goal), in general first observed by Wilson and Piazza (2013, 941). In detail, the paradigmatic argument in the literature is that because authoritarian governments are not legitimated via popular elections, they are insensitive to popular grievances and therefore uniformly and exclusively apply coercion to counter terrorism.<sup>960</sup> In the theory part, I discussed evidentiary, conceptual and logical objections regarding the foundations of that Paradigm. Using two cases that are homogenous on X (regime type) by the standards of the Paradigm (II.4.2, e.g. Wilson and Piazza 2013, 941-942), I tested whether the assumed homogeneity really concurs with homogeneity on Y (counter-terrorism strategy) by using Mill’s (1843, 454-463) Method of Difference integrated into an SFC following George ((1979) 2019) and George and Bennett

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<sup>960</sup> (I.1.1, II.4.2., e.g. Abrahms 2007; Ash, K. 2016, 116-117; Chenoweth 2006, 7; Ghatak et al. 2019, 443-444).

(2005). As outlined at II.6, the Paradigm is seen as refuted if and only if one of the cases implements at least one counter-terrorism model other than coercion and if the two cases implement different counter-terrorism models or at least differ qualitatively in the composition of sub-models. The double threshold avoids false positives while examining both the criteria of *exclusive coercion* and *uniformity* which I extracted from Wilson and Piazza's (2013, 941-942) observation.

Preceding section V.2 shows variation across all four counter-terrorism models examined (coercive, conciliatory, structural and communicative) both between and within cases. While case-internal temporal variation coincidentally turns out to be well-suited for refuting the Paradigm, my focus for theory-testing is on between-case variation. Concerning coercive counter-terrorism, both cases predominantly rely on what Pedahzur and Ranstorp (2001) model as an *expanded criminal justice approach* with the exception of the early days of the Chechen CTO. Russian coercion has become much more discriminate over the years, relying on the discriminate use of kinetic force since 2001 (III.6.2, e.g. JWIT 2015a, 597) and the adjudication of (preparatory) offences. While the legal components to China's counter-terrorism regime have also been strengthened, that has not been accompanied by a development to more discriminatory. There are three reasons for that. Criminal and de-extremification legislation passed since 2015 has, first, legalised previously applied extrajudicial means of kinetic force and, secondly, raised criminal justice's punitiveness and extended the legitimate target set in correspondence with the identification of extremism as the underlying ideology of terrorism as well as a state-security threat in its own right; third, this has led to XUAR's Uyghur population being subjected to indiscriminate psychological pressure (V.2.3.2, Klimeš 2018, 419-421; Korte 2018a; Li, E. 2016). Conciliatory counter-terrorism has been present in Russia in the form of selective conciliation but in China not at all (V.2.2.4/2.3.2). Both communication strategies contain substantial target-centric and actor-centric parts. Above and beyond differences in their historic development, Beijing does, though fully cognisant of the role of ideology – actually precisely because of it – not engage interactively with the challenging ideology whereas Moscow at least permits just that (V.2.4). Especially noteworthy is the notion of resilience, at least in Russia (Korte 2019a). However, the gap between the two approaches has again widened with the Chinese de-extremification campaign and its indoctrinating means of actor-centric radicalisation prevention such that, again, it is primarily the criterion of uniformity that can be rejected. Finally, with what I partly follow Schneekener (2006) in referring to as *structural counter-terrorism*, there is substantive variation in the presence of sub-models. With condition-centric policies, Beijing has pushed for socio-economic development as a panacea – though according to its own rationales – which Russia has neither consistently nor intentionally done at the federal level (V.2.5.2). Concerning process-based measures, the observations are reverse – such measures have consistently

been implemented in Russia but are largely negligible because of their strategic implementation in China (V.2.5.2).

Summarily, there is some variation in coercive counter-terrorism, clear variation in conciliatory, some/clear variation (depending on the emphasis assigned to each of the models) in communicative and clear variation in *structural counter-terrorism*. As far as the Paradigm is concerned, authoritarian counter-terrorism can neither be said to be “monolithic” nor “rely exclusively upon repression”. These two central aspects of the paradigmatic assumption identified in the literature by Wilson and Piazza (2013, 941) have thus got to be misconceptions. Meanwhile, it must be admitted that the use of kinetic force in some of Russia’s CTOs is substantial and that the turn the Chinese counter-terrorism strategy has taken since 2014 is not one for moderation. Yet, even that development cannot be considered to have been caused by a lack of legitimacy assumed to derive from the absence of ideal-type electoral responsiveness. Instead and consistent within Beetham’s (2013, 138-139) framework, a certain degree of coercion is seen to accord with rather than contradict a legitimate power relationship, being embedded within the provision of the *general interest* of security. Specifically, in *state-socialist systems* it can be understood as a necessary corollary to the legitimation of power (Beetham 2013, 182-186; Holbig 2006, 14; 2011b, 169; 2013, 65, 74-75). Additionally, much of Chinese counter-terrorism policy is in its motivation and schematic solutions driven by the content of ideology as a resource rather than capacitated or driven by an absence of restraint. On the whole then, the variation encountered indicates that although authoritarian counter-terrorism can be coercive, it is neither exclusively nor uniformly so and legitimacy considerations do apply.

### V.3.2 Heuristics: Potential sources of variation in authoritarian counter-terrorism strategies

#### V.3.2.1 Overview

The second goal of this dissertation was to identify potential sources of variation in authoritarian counter-terrorism with a focus on those related to legitimacy. This parallels the investigation of differences in electoral responsiveness mechanisms as dual forms of legitimation in democracies<sup>961</sup> and sources of variation in counter-terrorism strategies (II.4.3.5, e.g. Li, Quan 2005). It was also based on Wilson and Piazza’s (2013, 942) hint that “existing institutions and domestic sources of support for the regime” might matter in autocracies. My approach has been to use questions to record concurrence between five different non-exclusive and non-exhaustive (re)sources of legitimacy (responsiveness, performance legitimacy, ideology, discursive power and co-optation) between the two cases (generically an M-PEA and an O-PEA by the definition of Wahman et al. (2013; 2017), for China with the specificities of Beetham’s *State Socialism*) and variation in the counter-terrorism strategy.

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<sup>961</sup> (II.4.3.5, e.g. Lambach and Göbel 2010, 87-88; Beetham 2013, xv, 151, 163-164 at II.5.3.3).

Based on these concurrences, section V.2 discussed whether there may be more to a concurrence and whether the presence or nature of any of the five (re)sources of legitimacy is a condition that capacitates or restrains the government's implementation or choice of certain counter-terrorism models or comes with conditions that do so.

This subsection summarises those findings. Discursive power is discarded as a source of policy variation. In the cases of ideology and performance legitimacy, covariation in the strategies is consistent enough to suggest that they have not only capacitating but also conditioning effects. For responsiveness, for what I follow Albrecht and Frankenger (2010b) in modelling as *exclusive responsiveness* as a subset thereof and for co-optation, there is insufficient evidence of the precise relationships between the legitimacy (re)source and counter-terrorism from a cross-case perspective. Only case-internal variation suggests that they at least function as facilitating capacities. Table 5 at V.4.1 visualises these relationships of concurrence and/or conditionality based on original table 3 at II.5.10. The differences are that hypothesised unique capacities (table 3) are replaced by observed concurrences (table 5) and that it states where heuristic findings of conditions are robust enough to indicate that future tests for causality may be worthwhile.

### **V.3.2.2 (Exclusive) responsiveness**

At II.5.5, I followed Lambach and Göbel (2010, 79, 87-88, 90) in defining responsiveness as a system's readiness to react to destabilising stimuli without resorting to the use of force, here the government's to citizens' demands and preferences. At the heart of my hypotheses lie WTH's characterisation of O-PEAs and M-PEAs, the different institutional characteristics and information-gathering capacities of such systems as discussed in the literature on authoritarian institutions (e.g. Gandhi 2010), my identification of China as a real-type of Beetham's *state-socialist* ideal type and a less deterministic logic as to the impact of "institutional" or "state capacities" than modelled in Wilson and Piazza (2013, 945-946, 951-953) and Fjelde (2010, 198-204). Based on these considerations, I proposed that co-extensiveness of state and single-party in China should be assets in information-gathering and in the smooth implementation of counter-terrorism policy (Q15). I also proposed that counter-terrorism institutions and policy would reflect the identity and preferences of the groups the leadership is most responsive to, following Albrecht and Frankenger's (2010b) conceptualisation of *exclusive responsiveness* and Geddes et al.'s (2014, 315, 318) propositions concerning the political influence of "leadership groups" (Q6, Q14).

Regarding the first of these questions, my research does not permit for estimating either government's ability for gathering information based on the observation of counter-terrorism strategies alone. Activity in any given sector implies that relevant information exists whereas inactivity does not mean that information does not exist. It is nonetheless noted that the Chinese capacity to collect information is extremely high with the seizure of institutional

oversight over religion, training of minority cadres, cohabitation of cadres with Uyghurs during mass education campaigns and the CPS and grid management systems. Though these capacities have all been expanded in the course of counter-terrorism, they are also consistent with capacities and trends in the larger system.<sup>962</sup> They are also conducive to administering targeted responses, for instance, with de-extremification. That, however, is closer to the paradigmatic notion of an authoritarian response or to what Fjelde (2010, 199) identifies as the cost-reductive effects of a single-party regime for targeted coercion than it is to Lambach and Göbel's notion of responsiveness. For Russia, there is no comparable observation of humint capacity based on a similar level of societal penetration by the state. Yet, there is also no way to attribute any particular policy choice or outcome to that comparatively lesser information-gathering capacity. On a first sidenote, the decision to reinforce coercive engagement in the North Caucasus after Putin's return to the presidency in 2012, has been linked to public opinion developments, indicating a degree of responsiveness to the population (III.6.2). On a second sidenote, the CCP's systematic penetration of various sectors, e.g. education or the system of autonomy, are assets in the implementation of policy that are unique to China (Korte 2016c). However, that point pertains to the system's responsiveness to the government rather than to the government's responsiveness to the system. That said, my research does not enable me to further refine the original hypothesis with respect to cross-case variation. Thus, I can only find relationships of *exclusive responsiveness* to be reflected in the counter-terrorism institutional structure and concur with strategic preferences, but I cannot attribute strategic variation to this concurrence.

### **V.3.2.3 Performance legitimacy**

Performance legitimacy was defined (II.5.6) as the contribution to legitimation by what Beetham calls *due performance on general interests* on the side of the government. Primarily based on his differential modelling of how performance failures affect either the legitimacy of government or that of the entire system based on the government's ability to distance itself (Beetham 2013, 141, 145-149, 151, 161-190; see II.5.3.4, II.5.6), I examined the governmental threat narrative as an indicator of vulnerability that would expose the terrorist threat's relevance to autocratic legitimacy (Q1). Two caveats taken into account are that of strategic framing (II.5.8.3, e.g. Perliger 2012, 527) and the fact that the single-party system's government may speak for the system whereas the multi-party system's government only for itself (II.5.6.3). I also asked whether and how the governmental narrative justifies measures taken (Q2) and whether and how success in counter-terrorism is cited/framed as a source of performance legitimacy (Q3).

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<sup>962</sup> (e.g. the social management system, see IV.9.3, e.g. Hoffman, S. 2017; see Korte 2016c).

Comparison of the governmental threat narratives demonstrates, first, that territorial integrity and physical security as generic *general interests* matter consistently across time and cases in terms of vulnerability. This indicates that their fulfilment for legitimacy reasons rather than absence of legitimacy considerations (or absence of restraint as per the Paradigm) is a driving force in the pursuit of counter-terrorism in avoidance of what Beetham calls a *legitimacy deficit*, accrued from failure to duly perform on such essential interests (II.5.3.3/5.6). The narratives on the terrorist threat and surrounding coercion (V.2.1.2/2.3.5) justify measures taken such that they identify the targets of coercion as legitimate, the measures taken as appropriate and, in the case of China, also constantly as “lawful”. This firmly locates responses within that realm which Beetham (2013, 138-139) envisages as a standard component of legitimate power relationships (II.5.3.4). The point on strategic framing was raised many times for China in the context of 9/11 (IV.3.3.2, e.g. Shichor 2005) or the securitisation of religious extremism (IV.3.4.2, e.g. Roberts 2018). It is also consistent with the highly significant role the Chechen CTO played in Putin’s election as president in spring 2000 (III.3.2.3, e.g. Pain 2005a, 69-73). However, the “strategic framing” argument is hamstrung by the fact that terrorism has killed at least many hundreds of civilians in both countries and death is not a matter of contention. It also discards the fact that the use of such framing as a legitimacy tool, if anything, attests to the presence rather than absence of legitimacy considerations, even where only understood as “legitimacy claims” accessory to legitimation, as done in the WZB Model (II.4.3.1, e.g. Gerschewski 2013). Secondly, and in contrast to similarities in the narrative with respect to the *general interest* of security, the concurrence between economic performance legitimacy and threat perception (V.2.1.2) or economic development as a condition-centric structural policy (V.2.5.2) is inconsistent across cases. Only inside the Chinese case do the two concur consistently. Here, I have argued that that particular salience of economic development is down to economic development’s centrality in CCP ideology (as a goal and tool, see V.3.2.4). Then, sources of performance legitimacy are seen to concur with strategic preferences but cannot single-handedly be attributed causal power for the variation seen.<sup>963</sup> Moreover, I cannot appraise the extent to which the government’s ability to distance itself from *performance failure* – a matter of difference between systems for Beetham and including what Wahman et al. (2013; 2017) define as M-PEAs and O-PEAs – influences variation in counter-terrorist strategies. However, the fact that the threat narratives have observable referents in reality – casualties – suggests that serving the *general interest* of security is a legitimacy-relevant point for autocracies’ vulnerability to terrorism and accordant resolve to fight it.

As examination of the threat narratives and narrative surrounding coercion and in the case of China also economic development in XUAR demonstrates (V.2.1.2/2.3.5/2.5.2), both

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<sup>963</sup> In Korte (2018a, at 1:03-1:06), I provide a brief sketch of the performance-legitimacy-based argument, but at the time I explained variation in terms of “existential interests” in the sense of *general interests* only.

governments have also mined their counter-efforts for performance legitimacy. One avenue has been guardianship of those *general interests* declared under threat. Russia has done this at the tactical level, reporting of CTOs (III.3.3.2, e.g. Henman 2012, 17, 19), with pacification of Chechnya also at the strategic level (III.6.2.2, e.g. Snetkov 2012, 531-534), and China propagandistically at the strategic level in various White Papers lauding peace and stability in XUAR. Here, counter-terrorism's framing as a source of performance legitimacy meets the expectations I articulated based on several scholars' (II.5.6.1, e.g. Holbig and Gilley 2010, 400) arguments concerning the connection between governmental framing and self-attribution of performance to help a favourable discursive interpretation of facts among subordinates. For Russia, public opinion polls conducted by the Levada Center (e.g. 2020) provide a relatively independent and reliable source for approximating whether that performance is also appreciated by the population. Lack of comparable data on China places the efficacy of such claims outside the scope of this investigation. A newly found avenue of performance legitimacy is the external dimension. Portrayal of the respective area of operations as part of the global-jihadist front and domestic engagement accordingly as a part of the GWOT has aided international recognition of sometimes assertively coercive engagement, self-portrayal as responsible global security players and rapprochement with the US, contributing back to domestic legitimacy via effective external representation (V.2.1.3, see III.3, e.g. von Soest and Grauvogel 2015, 12; IV.3 e.g. Holbig 2002).

*Due performance on general interests* is found to be a motivator of authoritarian counter-terrorism, i.e. that autocratic governments counter terrorism to sustain their legitimacy. Yet, the governmental narrative as an indicator could only verify that different sources of performance legitimacy concur with policy variation but not whether they are the sources thereof. It thus remains unclear whether different *general interests* and governments' systemic vulnerability to *legitimacy deficit* in case of *performance failure* (Beetham 2013) have any differential impact on counter-terrorism strategies as originally proposed. However, counter-terrorism itself is found to be a strategically framed source of performance legitimacy in both countries, not only pertaining to those *general interests* that are under threat but also via the external representation dimension.

#### **V.3.2.4 Ideology**<sup>964,965</sup>

In the theory part, I primarily followed the arguments of Beetham (2013, 89, 132, 155-156, 181-182; II.5.3/II.5.7) and Holbig (2006, 10-16; 2013, 62-65) concerning the role of ideology in the legitimation of *state socialist power* to formulate three propositions as to its impact on vulnerability to terrorism and role in counter-terrorism. One was that because ideology as a

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<sup>964</sup> Based on various subsections, this subsection contains similarities with Korte (2015; 2016a; 2016c; 2018a).

<sup>965</sup> I am indebted to Heike Holbig for encouraging me to reconsider my conceptualisation of ideology and "ideational-identitarian argument patterns" in her assessment of my dissertation, especially in the third and fourth paragraphs.

logical framework connects Beetham's criteria of *rightful authority*, *general interest* and *due performance* on it but also has a mobilising function (2013, 183; Holbig 2006, 10-16; 2013, 62-65), it would raise vulnerability to terrorism. That would be the case where terrorism communicates a challenge to exclusive authority or to the attainment of ideology-specific performance goals or where it interrupts the *mobilisation of consent*. The second proposition was that in ideology's presence, conciliatory, process-based or condition-centric structural measures that entail recognition of alternative truths and actors would be absent because of the necessarily monolithic and monopolistic character of *mobilisation mode* in the organisational and doctrinal realms.<sup>966</sup> Third, following Holbig and Gilley (2010, 396, 399-400) and Holbig (2013, 62-65, 73) on ideology's role in framing performance goals and evaluation, I suggested that it would also play a role in the justification of counter-terrorism measures and in the retrieval of performance legitimacy based on that framing. None of these expectations was raised for Russia in the absence of a coherent legitimating ideology there. Not only were all three expectations met, but ideology emerges as the single-most plausible explanatory factor when it comes to cross-case policy variation. Moreover, there is evidence that "ideational-identitarian argument patterns" with their limited issue-frame and extent, as constructed by Kneuer (2017), lack that constraining character and can even act as a facilitator of policy choice to the opposite avail.

Economic development and national unification as two ideology-contained performance goals are found omnipresent as threatened by TSE in the Chinese threat narrative and thus indicative of heightened ideology-induced vulnerability (IV.3; V.2.1.2). Conciliatory counter-terrorism was found absent as were any actor-centric communicative counter-measures that would grapple with alternative logical systems of meaning (V.2.1.2/2.4/2.5.3). That is while or probably because, unlike Russian politicians who did not seem to recognise the role ideology played until 2009, Chinese politicians showed themselves more aware of the ideological challenge emanating from TSE than of the tactical kinetic one (IV.8.2, e.g. Zhang, Xiuming 1998, 75). In the realm of what I follow Schneckener (2006) in calling *structural counter-terrorism*, the autonomy system prevents rather than facilitates systematic representation and realisation of ethnic interests. Those condition-centric measures that deal with ethnic issues but also Islam – on the border to communicative counter-terrorism – are designed for assimilation and disappearance of the grievances, not for accommodating them, and the CCP unmistakably communicates that that is because nothing must stand in the way of national unification as an ideology-contained performance goal.<sup>967</sup> That is also a logical incentive, though not a full explanation, for the combination of what Beetham (2013, 157, 183) and Holbig (2013, 74-75) call the *demobilisation of dissent* with the *mobilisation of performative consent*

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<sup>966</sup> (II.5.3.4/5.7Beetham 2013, 157, 182-186; see Holbig 2011b, 169-170; 2013, 65, 74-75).

<sup>967</sup> (IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Zhu, Y. 2011, 124, 130, 135).



seen in the de-extremification campaign. The latter is merely a stronger form of pre-existing and historically conditioned systemic survival mechanisms. The presence of ideology in terms of accompanying *mobilisation mode* and the systemic capacities to sustain it paired with the specific content of CCP ideology in terms of national unification explains two things: why the CCP is geared for override rather than accommodation and where it takes the capacities from to implement such policy. Finally, the framing of TSE including problem diagnosis, proposed solutions and reports on progress neatly fit the dialectic model of progress contained in CCP ideology as well as what Holbig (primarily 2015, but see 2011a; 2011b; 2015; 2018) discerns as the CCP's characteristic "crisis as opportunity" mode. This is particularly so in the realm of communicative ("educational") efforts that have morphed into "ideational governance" (IV.8, e.g. Klimeš 2018) and in the realm of socio-economic development (IV.10.3, e.g. Anand 2018; Zhang, Xiaoling et al. 2018).

Somewhat surprisingly to my theoretical expectations at II.5.7, the content of Putin's altered legitimisation narrative after 2012 also plays a role for vulnerability to terrorism and for counter-terrorism. It creates ideational vulnerabilities of the community of traditional Russian values and permits for the eye-level embrace of Islam as a Russian religion and institution towards radicalisation prevention and resilience-building. It also functions as an ideational umbrella under which Islamisation in the North Caucasus does not run counter to but is compatible with Russia's "multi-religious and multi-ethnic" civic identity whose integrity Putin seeks to uphold (Putin 2013b; Robinson 2018, 97-102; see III.3.4). All these are points squarely unthinkable in terms of CCP ideology and here it is the content of those narratives that explains the outcome. Meanwhile, the Russian argument patterns are neither as exclusive, as self-contained nor primary sources of Beetham's criterion of *rightful authorisation* as CCP ideology is (conceptually Kneuer 2017, 187; see Mommsen 2017, 126-128). As "ideational-identitarian argument patterns" (Kneuer 2017), they do also not constitute a unique and polity-global accepted framework of defining the *general interests* and justifying the system's organisational structure towards their attainment, as those contained in CCP ideology do. Their impact is much smaller in terms of vulnerability to terrorism and motivation in counter-terrorism strategy. This raises conceptual questions concerning the relationship between ideology and "ideational-identitarian argument patterns". The former might be treated as a specific subset of the latter to facilitate observations along a continuum, ranging from full systemic coverage and reliance in the sense of Beetham's (2013, 157, 182-183) dual monopoly in *state socialist systems* through "ideational-identitarian argument patterns" to even looser argument patterns, encounterable even in democracies.

The bottom line is that the combination of an O-PEA system (by WTH standards), its reliance on *state-socialist ideology* and derivative *mobilisation mode*<sup>968</sup> raises vulnerability to terrorism and lowers tolerance for ideational alternatives compared to an M-PEA absent ideology. The presence or absence of a full-blown ideology is seen as a factor restraining or permitting the choice of those counter-terrorism measures that lend credibility to ideational alternatives and involve the devolution of political power to alternative centres (conciliatory, *structural*, communicative counter-terrorism). Here, the specific content of CCP ideology plays an additional though likely idiosyncratic role. A different conceptualisation and operationalisation as well as further research should be able to uncover whether the presence or absence of ideology or components of a larger discursive legitimation concept are necessary or sufficient conditions for certain counter-terrorism models. Yet, this could be problematic given the epistemic status of ideology and difficulties in operationalising it. Additionally, ideological or “ideational-identitarian” (Kneuer 2017) content (as opposed to presence) has in both cases, assuming some diagnostic truth to the narrative, affected the vulnerability to terrorism and the content of communicative counter-terrorism. This reinforces the impression that ideology runs through the other legitimacy (re)sources and their impact like a golden thread, but this is too idiosyncratic to deduce a general trend.

#### **V.3.2.5 Discursive power**<sup>969</sup>

Governmental discursive power was defined as the government’s ability to influence the content of verbal and visual communication, i.e. as power exercised in the realm of discourse as well as through it and thus a legitimacy resource rather than source. Expectations were that, judged by their *regulatory environment* and degree of *political parallelism* – indicators taken from Jungherr et al. (2019, 14-15) – the Chinese government would hold larger discursive power than the Russian one based on single-party nature and co-extensiveness of party and state in conformity with Beetham’s *state-socialist* model. There was no expectation as to specific counter-terrorism models to concur with a certain degree of governmental discursive power, only that higher discursive power should be an asset in the implementation of communicative measures (Q9).

Although the strength of discursive power has in both cases concurred with the breadth of communicative counter-terrorism over time, as argued at V.2.4.5, it can be discarded as a source of variation. The extent of discursive power is a condition that broadens the options of pursuing communicative counter-terrorism but, as the case of Russia shows, it is a resource that can be leveraged in the course of securitisation processes as captured by Kim and Blank (2013, 924) under the notion of the “securitization of the media” (III.7.2.1). That is even to the extent that amendments to Russia’s media law in 1999 (*regulatory environment*, e.g. Herd

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<sup>968</sup> (by Beetham’s (2013) standards, China being a real-type according to Holbig (2013, 63-65)).

<sup>969</sup> Based various subsections in parts II, III and V, this subsection contains similarities with Korte (2019a).

2000, 59-60), the seizure of Gusinsky's and Berezovsky's media empires in 2000-2003 (*political parallelism*, e.g. Baev 2004b, 340-341) and the expansion of regulatory oversight over infrastructural components (Ermoshina and Musiani 2017) between 2012 and 2016 (*regulatory environment*) have been beneficial in the general leveraging of governmental discursive power. Then, at least in Russia, discursive power and communicative counter-terrorism emerge to be co-constitutive. The CCP's discursive power has been tremendous by both standards (*regulatory environment* and *political parallelism*), and communicative counter-terrorism has first and foremost shown itself as an avenue for seeing a system that regularly relies on propaganda and discourse management in operation (Korte 2016c). Yet even there, reporting and internet access restrictions, propaganda and education in XUAR as a region and on TSE as a legitimacy-sensitive subject matter have been revved up further (IV.8, e.g. Brady 2012a, 165; Luqiu and Yang 2018), though not with comparably system-global effects as in Russia. And in view of the de-extremification campaign and accompanying surveillance and education efforts, even without going down the route of Foucaultian *biopower* (Roberts 2018) or just Klimeš' (2018) *ideational governance*, discursive power has turned into a spatially confined discourse monopoly that is, to all intents and purposes, paradigmatic in the way suggested by scholars such as Byman (2016, 79-80) or Ucko (2015, 8-10; II.5.8.3). Then, the insights that remain with respect to discursive power are that it is a capacity conducive to the implementation of various communicative counter-terrorism models but that the two are co-dependent and it is therefore discarded as a source of policy variation.

#### **V.3.2.6 Co-optation**

Co-optation was understood as the incentivised compliance of elites as an instrument of securing the smooth running of a legitimate power system. It was hypothesised to constitute a non-deterministic capacity enabling the government towards specific conciliatory (Q13) and process-based structural measures (Q11). The baseline assumption was that the streamlining capacities single-party systems are generally afforded (II.5.9.2, e.g. Gandhi and Przeworski 2007, 1282-1283) and particularly *state-socialist systems* (Beetham 2013, 181-182) result in little defective potential at elite level. The expectation was for the Chinese system to have lesser co-optive capacities and that this would decimate the abilities to negotiate, selectively conciliate or structurally accommodate via process-based means. The Russian multi-party system, by contrast, was proposed to have a stronger co-optive potential for choosing and implementing such selectively conciliatory and process-based means. This was based on Beetham's (2013, 157) pointing to the ability to integrate opposing groups and on the generally observed co-optation mechanisms in the extant literature (II.5.9, e.g. Fjelde 2010, 203-204).

The comparison shows that co-option has indeed played a role in counter-terrorism at different instances and institutional levels of counter-terrorism and related policy in Russia but has been notably absent in China. Some scholars have argued that the training of minority cadres

(Rudelson and Jankowiak 2004, 309) or the increased employment of Uyghurs in the education sector (Wayne 2009, 259) are means of co-optation. Yet based on the insight that in their own communities, they are eyed with suspicion for renouncing their religious and cultural identity and serving the party rather than minority interests (Chung 2006, 85; IV.10.2.1), I reject that measure as one of co-optation. They do not seem to constitute potentially defective elites in the sense of my elite-based co-optation model based on, e.g. Fjelde (2010, 198-202). At best, they are regular manpower prevented from joining a terrorist organisation (Korte 2016c). According to the same logic, Uyghurs' mass employment in the ballooning security apparatus after 2014 is noted for its stabilising effects (IV.9.3, e.g. Zenz and Leibold 2017a) but rejected as an instance of co-optation. Meanwhile, it has been seen with the autonomy system that at the core of the unwillingness to accommodate potential defectives lies the fear of giving them an institutionalised voice in the system, which is an ideology-related explanation.<sup>970</sup> However, it is not possible to infer whether the ability to co-opt is, in fact, absent in China. It is also impossible to infer if such lack of capacity might be a reason next to those that are immediately related to ideology – co-optation potential originally modelled as a second-order effect to systemic monolithisation in *mobilisation mode* (II.5.9) – why co-optation-related measures have been absent in the context of counter-terrorism.

In Russia, there are three areas in which co-optation has played a role for counter-terrorism. First, it has been seen in the assignment of policy authority in the counter-terrorism bureaucracy and larger institutional structure. One example is the assignment of non-FSB *siloviki* to presidential plenipotentiary posts, institutionally balancing the interests of competing uniformed groups against each other (III.5.2-3; V.2.2.3/5, e.g. Baev 2004a, 4-8). The second instance has been in the selective conciliation of former militants through amnesties in Chechnya, Ingushetia and Dagestan (here 2010-2012; III.5.2.2/6.3/8, e.g. Souleimanov and Aliyev 2016). The third has been the devolution of sovereignty-sensitive rights and prerogatives to the Kadyrovs, notably former insurgents, in Chechnya and the devolution of a lesser but still significant degree of autonomy to Yevkurov in Ingushetia (III.8, e.g. Koehler et al. 2016). Across the NCFD, this has been connected to tolerating different degrees of Islamisation of everyday life and politics, including the implementation of Shari'a law (e.g. Hahn 2012, 50-58; Zhemukhov et al. 2018, 207-218). The last two points amount to de facto systematic concessions to the demands of separatist fighters in Chechnya and the Islamist scene in Chechnya and Dagestan.

Originally, I suggested that the ability to co-opt is a corollary of an M-PEA's general mode of functioning that constantly requires the balancing of various interests and tolerates alternative centres of power (Beetham 2013, 157; Fjelde 2010, 203-204). That tolerance in the formal

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<sup>970</sup> (V.3.2.4/IV.10.2.2, e.g. Leibold 2014b; Ma, R. 2010, 55; see IV.3.3.1, e.g. Korte 2016c; Zhu, Y. 2011).

institutional structure is a necessary requirement for the co-optation seen, the backup by Putin's informal networks via the *Pitersy* or the *siloviki*, and regarding power arrangements in the NCFD. However, the significance of personal relationships, particularly with Kadyrov, as well as federal financing must be accounted for (III.8, e.g. Koehler et al. 2016). It is hard to imagine this significant formal devolution of power without the informal backup. Neopatrimonialism is identified as one of the other systemic characteristics that facilitate co-optation in the formal-institutional sector because it can back it up in the informal one (III.9, e.g. Robinson 2018, 249-260). The second factor is the creation of the structural openings for the president to use cadre policy for co-optation in the course of the verticalisation of power – itself related to counter-terrorism – during Putin's first two presidencies (III.5.3, e.g. Kuchins et al. 2011, 17-19). Neither neopatrimonialism nor the co-optation potential that came with erection of the *Power Vertikal* are generic M-PEA characteristics in Wahman et al. (2013; 2017) nor in any of the other regime typologies discussed. Yet, the systemic capacity to co-opt as created by these characteristics does seem to facilitate the choice of conciliatory and those types of what I have followed Schneckener (2006) in referring to as *structural counter-terrorism* that involve the systemic representation or inclusion of competing interests to the extent of devolving decision-making authority from the centre to alternative centres of power. And although the resulting capacity to co-opt is identified as a condition that facilitates these policy choices, based on my research, neither of these characteristics can be identified as necessary or sufficient for a certain policy choice in the specific case or more generally. They can thus neither be confirmed nor discarded as sources of policy variation.

## V.4 Conclusion

### V.4.1 Findings

This dissertation is concluded with the insight that authoritarian counter-terrorism is neither uniform nor exclusively coercive as assumed by the extant literature (Wilson and Piazza 2013, 941), given the observation of variation between an M-PEA and O-PEA (by the standards of Wahman et al. 2013; 2017) with clear variation in the conciliatory, communicative and structural components to their counter-terrorism strategies. It has also been shown that the assumption of absence of legitimacy per electoral responsiveness as a restraining condition is first of all false. It also misses the point that autocracies, like democracies, need and generate legitimacy to survive, a point which scholars of authoritarianism have investigated either as instrumental towards stabilisation or as necessary per se for a good decade (II.4.3.1, e.g. Pickel, G. 2010, 180-181, 196-200) but which terrorism scholars unfathomably seem to have ignored. I have shown that reliance on performance legitimacy as derived from guarding the political system's *general interest of security* (Beetham 2013, 138) and the presence/absence and content of ideology or what Kneuer (2017) terms "ideational-identitarian argument patterns" influence electoral autocratic governments' vulnerability to terrorism and resolve to fight it to avoid what Beetham calls a *legitimacy deficit*. Even with the caveat of potentially strategic framing, the substantiveness of the threat and justificatory narratives suggests that the paradigmatic assumption of absence of legitimacy considerations in autocracies does not hold true. In that sense, autocratic governments do not counter terrorism in a certain way because they can, but because they need to retain their legitimacy. This influence comes out strongly in view of the manifold non-coercive components to their strategies. It is particularly salient in the covariation of at least some *general interests* with what I follow Schneckener (2006) in referring to as *structural counter-terrorism*. It also transpires from how needs and considerations related to reliance on ideology and "ideational-identitarian argument patterns" shape the communicative and *structural* strategic repertoire. That is logically not unsimilar to the influence democratic accountability as a procedural source of legitimacy is purported to have on democratic counter-terrorism policy (II.4.3.5, e.g. Chalk 1998, 374). It is what System Theorists would call a *functional alternative* thereto in terms of legitimacy outcome. In fact, all five of the (re)sources examined concur to some extent with the variation in counter-terrorism policy between the M-PEA and O-PEA examined. Ideology and performance legitimacy are found to be conditions of policy variation. By contrast, responsiveness, what I follow Albrecht and Frankenberger (2010b) in modelling as *exclusive responsiveness* as a component thereof, and co-optation are only found to covary with counter-terrorism strategies case-internally such that they retain the status of potential conditions. Here, more research is required to shed light onto whether they are more than capacitating conditions.

In detail, concerning responsiveness, a single-party state is found to have excellent information-gathering capacities, especially in the humint realm, further leveraged in the course of counter-terrorism. Yet it is unclear whether these capacities are de facto superior to those in an M-PEA as proposed at II.5.5 and as such a condition of policy variation worth investigating for causality at all. Relations of *exclusive responsiveness* characteristic of the two systems are found present in the counter-terrorism bureaucracy and among the implementing agencies so they are found to be conditions that concur with policy variation. Yet from my research, I can neither substantiate nor discard them as causes of that variation.

Performance legitimacy gained from catering to what Beetham calls the *general interest of security*, in China also welfare/economic development, emerges as a point of vulnerability to terrorism and accordingly motivator of counter-efforts. Cross-case concurrence in strategic emphasis and sources of performance legitimacy lets me identify these as conditions of variation (Korte 2018a). Their capacitating or constraining impact is, however, unclear, at least as far as they are generic rather than ideology-contained *general interests*. If and how the government's ability to distance itself from *performance failures* has any impact as proposed based on Beetham (2013, 141, 145-146, 161-190), also remains unclear. Meanwhile, terrorism's *general interest*-relevant nature has been the basis for the justification of counter-measures. In the coercive realm this has accorded to the logic with which Beetham (2013, 138-139; see II.5.3.4) envisages measured coercion as a legitimate accessory to a legitimate power relationship. It has also been a baseline for deriving performance legitimacy, including via external representation of interests which I had not anticipated. Despite the option and, in parts, likelihood of strategic framing (II.5.8.3, e.g. Perliger 2012, 527), if not the content, then at least the presence of those narratives indicates that both governments care about the legitimacy of their counter-terrorism engagement with their population. This goes to show that, at the very least, authoritarian counter-terrorism does not operate in a legitimacy vacuum.

Ideology is found to raise vulnerability to terrorism. That is particularly where terrorism challenges ideology-contained authorisation arguments and performance on ideology-contained polity-specific *general interests* or where it interrupts the mobilisation of *performative consent* which *state-socialist systems* are modelled to rely on (II.5.3/5.7, Beetham 2013, 182-186; Holbig 2006, 10-16; 2013, 62-65). Ideology is found to concur with certain diagnostic and solution patterns in the communicative and structural realms. It is also found to constrain policy choice in those realms that would entail the recognition or even systemic inclusion or representation of alternative truths and interests. Here, CCP-specific ideological content (the goal of national unification) interlocks with systemic characteristics historically constructed to sustain ideological hegemony and further goal attainment, as proposed by Beetham (2013, 157; see Korte 2016c; 2018a). Despite similarities in terms of vulnerability to ideational challenge and communicative counter-strategies since Putin's appropriation of what Kneuer

(2017) calls “ideational-identitarian argument patterns”, these constraints are absent in Russia. The latter function as a facilitator for a laissez-faire structural and embracing communicative counter-terrorism strategy. Only full-blown ideology thus emerges as a policy constraint whose absence permits but does not cause more liberal policies in said areas. Meanwhile and as proposed by Holbig (2013, 64-65) and Holbig and Gilley (2010, 396, 399-400), ideology functions as a framework for diagnosis, solutions and the derivation of performance legitimacy in counter-terrorism.

In contrast to the restraining role of ideology, co-optive potential is found to facilitate precisely those conciliatory and such process-based counter-terrorism measures that entail the systematic representation and inclusion of alternative interests. This goes to the extent of the devolution of even sovereignty-sensitive decision-making authority from the centre to alternative centres of power, which is in China constrained by ideology. For lack of observations on either general capacity, comparable policies or a full discussion of why these policies are not part of the repertoire in China, I cannot verify whether – independent of ideology – co-optative potential is de facto an additional constraint. It thus has to retain the status of a facilitating condition. Here I would now caution all the more against the deterministic impact of “state” or “institutional capacities” modelled in Fjelde (2010, 198-201) and Wilson and Piazza (2013, 945-946, 951-953); that is mostly because performance legitimacy and ideology would have to be accounted for as confounding variables. Finally, governmental discursive power does, as expected, facilitate the implementation of any and all communicative counter-terrorism models but is discarded as a source of variation because it has been seen to be amended as per securitisation and/or necessity.

Summarily, while all five (re)sources of legitimacy relate to counter-terrorism policy in one way or another, fully relevant for the generic explanation of variation between M-PEAs’ and O-PEAs’ strategies are only the presence or absence of ideology and its content and to some extent “ideational-identitarian argument patterns”. Performance legitimacy seems to be relevant but less clearly so than ideology. Responsiveness, *exclusive responsiveness* and co-optation potential are concurrent conditions whose capacitating or constraining influence should be explored further. Only governmental discursive power can be fully discarded as a source of policy variation (see table 5 for a summary). For now, I have shown that authoritarian counter-terrorism is not uniformly coercive nor conditioned by a lack of legitimacy. Rather, at least in the electoral autocratic systems examined, legitimacy matters in vulnerability to terrorism and the design of counter-terrorism strategies. Wilson and Piazza’s (2013, 942) hunch to look at “existing institutions and domestic sources of support for the regime” was a good one.



**Table 5: Key relationships between (re)sources of electoral authoritarian legitimacy ( $x_n$ ), vulnerability to terrorism and counter-terrorism strategies ( $y_n$ )**

	Vulnerability	Coercive Counter-terrorism	Conciliatory Counter-terrorism	Communi-cative counter-terrorism	Structural Counter-terrorism
<b>Institutional structure &amp; responsiveness</b>					
Institutional capacity to generate information	N.T.	R: N.A. C: yes	N.A.	N.A.	N.A.
Group of <i>exclusive responsiveness</i> (Albrecht and Frankenberger 2010b)	N.T.	R: yes C: yes	R: N.A. C: N.A.	R: N.A. C: yes	R: N.A. C: yes
<b>Performance legitimacy</b>					
<i>Due performance on generic general interests</i> (Beetham 2013)	R: yes C: yes	N.T.	N.T.	N.T.	R: yes C: yes
<b>Ideology</b>					
Presence / absence or <i>ideational-identitarian argument pattern</i> (Kneuer 2017)	R: partly C: yes	N.T.	R: yes C: yes	R: yes C: yes	R: yes C: yes
<b>Discursive power</b>					
Strength	N.T.	N.T.	N.T.	R: Co-dependent C: yes	N.T.
<b>Co-optation</b>					
Institutional capacity to co-opt elites	N.T.	N.T.	R: yes, with additional factors neo-patrimonialism & presidential personnel policy prerogatives C: N.A.	N.T.	R: yes, with additional factors neo-patrimonialism & presidential personnel policy prerogatives C: N.A.
<b>Key:</b> <u>R</u> ussia, <u>C</u> hina N.A. = no conclusion possible for lack of evidence N.T. = not tested	Concurrence between variation on X (legitimacy (re)sources $x_n$ ) and Y (counter-terrorism models $y_n$ in strategy) such that X can be said to capacitate Y		Variation on X may be conditioning variation on Y even to the effect of constraint, suggesting potential causality for future test		Discarded as source of variation

#### V.4.2 Incidental findings

As most research does, mine, too, has generated a number of insights as to the relationship between counter-terrorism and legitimacy that are unsolicited in the sense that they pertain to counter-terrorism's effects on legitimacy resources rather than to the effects of resources as my primary research interest. For Russia, these have included the institutionalisation of Putin's main support constituency – the FSB – in the NAK, cementing a relationship of *exclusive responsiveness* to sustain a certain mode of legitimation into the future (III.5.2.3, e.g. Baev 2004a; 2004b; 2006b). They also include the leveraging of governmental discursive power in the course of various amendments to what I followed Jungherr et al. (2019) in operationalising as the *regulatory environment* and the *degree of political parallelism* (III.7, e.g. Blank 2012, 21-22; see Korte 2019a). For China, one of counter-terrorism's benefits lies in its diagnostic and strategic integration with the “struggle” via whose management the CCP constantly re-substantiates its ideologically authorised premier position in the system, as argued by Holbig (primarily 2015, but see 2011a; 2011b; 2015; 2018). Another benefit lies in the way in which XUAR's infrastructural integration, socio-economic development and assimilationist ethnic policy have, partly based in their catering to TSE prevention, aided goal attainment in that very struggle (IV.10). One element that is significant in both cases is external representation of national interests. This has happened by framing domestic terrorism and counter-terrorism as part of the GWOT and its second-order effects in terms of status, rapprochement with the US and foreign acceptance of coercive counter-terrorism practices domestically (III.3.2.3, 3.4.6, e.g. von Soest and Grauvogel 2015, 12; IV.3.3.2, e.g. Holbig 2002). Another element they share is the degree to which the narratives conveyed as part of communicative counter-terrorism contain those very values at the core of the domestic normative structures of what Beetham (2013, 38; chapt. 3) calls “legitimacy-in-context” (III.7.4, e.g. Verkhovsky 2018; IV.8, e.g. Klimeš 2018). That is even though in China, with the recent mass education and de-extremification campaigns in XUAR, that effort has escalated into a modus of indoctrination whose legitimation-relevant effects are likelier situated at the behavioural level. They enforce sinicisation towards national unification as an ideology-contained performance goal (IV.7.4, e.g. Byler and Grose 2018; Meyer, P. 2016a) and elicit *performance of consent*, which I have subsumed under ideological incentives for the pursuit of a certain communicative model.

These insights are not directly relevant to the stated theory-testing and heuristic goals of my dissertation. They are too far upstream from counter-terrorism policy and – save for ideology – from my neo-institutionalist model of legitimacy (re)sources as capacities. Yet, they should not be lost because they may form part of an extended governmental rationale in pursuing certain counter-terrorism strategies over others in any policy explanation that is not strictly positivist.

### V.4.3 Outlook

These findings and my theoretical models bear implications for current and further research in at least three directions: refuting the Paradigm, pointing out directions for further investigation in search of the conditions of policy variation between autocracies (not only in terms of counter-terrorism), conceptualising legitimacy in the authoritarian context and, to some extent, for democratic counter-terrorism (research).

For the field of Terrorism Studies, my research has broken up the paradigmatic assumption of homogeneity of authoritarian systems (II.4.3.4, e.g. Aksoy et al. 2012, 823) and their counter-terrorism strategies which I chose to investigate based on Wilson and Piazza's (2013, 941) recognition of that "assumption in this literature". Here, I sought to overcome some of the limitations in regime-type and counter-terrorism modelling as well as their deterministic take on the impact of "institutional capacities" (II.4.3). Aside from rebutting the Paradigm, my research demonstrates that it is worthwhile to look beyond electoral-institutional indicators. This helps to explain authoritarian counter-terrorism policy variation, following both Wilson and Piazza's (2013, 942) lost impetus that "domestic sources of support for the regime" might be a factor, too, and a review of the legitimacy-based explanations of variation in democratic counter-terrorism. The strong influence of ideology in China might in some ways be unique because CCP ideology with its Marxist-Leninist roots is a sub-case. A similarly strong influence of ideology is highly unlikely in a system with more parties but possibly relevant in one without – for instance, what Wahman et al. (2013; 2017) model as *military*, *monarchic* or *no-party electoral*. Here it should be worthwhile to test the influence of what Kneuer (2017) calls "ideational-identitarian argument patterns". As far as the other (re)sources of legitimacy are concerned, of those that can be considered potential sources of variation (co-optation, responsiveness and performance legitimacy), responsiveness and performance legitimacy are reasonably coherent with the distinction rules applied by WTH. The next logical steps are to establish how exactly they relate to policy variation across a) O-PEAs and M-PEAs more generally and b) across other regime types through examination of other regime types and inclusion of more cases. With co-optation, the dynamics of neopatrimonialism, which play a crucial role in Russia, are not easily accommodated within the WTH framework. Meanwhile, the study of more cases and, specifically, of different cases from the M-PEA category will verify whether the M-PEA nature in itself carries co-optive potential and thus functions as a capacitating condition for conciliatory and process-based forms of accommodation. Yet there, caution should continue to prevail in assigning too much weight to the impact of capacity on actual policy choice, a point I have frequently criticised in Fjelde (2010) and Wilson and Piazza (2013) as well as in the Paradigm more broadly. As far as economically derived performance legitimacy is concerned, a specifically interesting study case to compare with China should be an ideology-free rentier state. That comparison would permit for separating the effects of

reliance on economic performance as a generic *general interest* from that part which is special due to development's significance and function in CCP ideology. This would aid attribution of heightened vulnerability and the focus on socio-economic development as a panacea. These are just some of the questions touched upon and more variation as well as questions can certainly be found there.

Even though much of the conceptual and theoretical input to this dissertation came from the field of Authoritarianism Studies, legitimacy is not yet typically studied there as a self-standing feature of authoritarian systems. "Legitimation strategies" or "legitimacy claims" (e.g. Dukalskis and Gerschewski 2017) tend to be seen as an instrumental accessory to autocratic stabilisation, for instance, in the WZB-Model on par with co-optation and repression (e.g. Gerschewski 2013; II.5.9.1). Legitimacy as seen by Beetham (2013) or Holbig (2006; 2011b; 2013), is not typically viewed as a necessary systemic feature and governance goal in its own right. By contrast, I have conceptualised co-optation as an accessory to a legitimate power relationship by applying Beetham's (2013, 138-139) ideas on the place that repression occupies in such a relationship and its upstream role in what Schmelzle (2011) and Schmelzle and Stollenwerk (2018) call the "virtuous circle" connecting legitimacy and effectiveness (II.5.3.4, II.5.9). In doing so, I have taken up a different angle of analytical attack that contributes to the overall discussion of the relationship between legitimacy and stability in autocratic systems. That discussion is more crucial to the field of Authoritarianism Studies than the mere explanation of policy variation.

Concerning democratic counter-terrorism: Conceptually, I have sought to keep the legitimacy (re)resources as regime type-neutral as possible. There is therefore nothing in them that would prevent them from being used to study the determinants of democratic counter-terrorism, which still is a rather inconclusive field (e.g. Blankenship 2018, 387-388; Brugali et al. 2017, 1). Meanwhile, there are two areas in which the concurrences found here are novel enough to lend themselves to interesting new questions. One concerns the notion of performance legitimacy, whereby – as with the rentier state example – it should be interesting to see whether democratic governments elected on their promises to cater to different *general interests*, whether generic in Beetham's sense or accessory to security and welfare, pursue different concurring counter-terrorism strategies. The other pertains to the impact of what Kneuer (2017) calls "ideational-identitarian argument patterns" on vulnerability to the ideological components underpinning terrorism as a tactic and to the content of communicative counter-terrorism in response. A direct strategic neighbour to that would be an investigation of the different notions of ideological resilience in the sense proposed by Heath-Kelly (2015). Both carry practical implications for counter-radicalisation and for the mitigation of terrorism's impact in the communicative realm. Here, real-life strategies still seem to fall very much short of paying tribute to terrorism as a violent form of communication, although scholars have long been

aware of the necessity for a “propaganda dimension of counter-terrorism” (Crelinsten and Schmid 1992, 322; Korte 2017). China might not be an adequate role-model for many societies, but the Russian regulatory approach to denying attention and the resilience-building effects of an emphasis on values might very well be (Korte 2019a). Paying tribute to societies’ worldwide ironically resilient helplessness vis-à-vis terrorism, it is certainly worthwhile at least considering that repertoire for lessons learned.



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