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(Unintended) effects of counterterrorism measures in the US and France

Academic studies have proven how difficult it is to measure distinctive effects that come about when applying counterterrorism measures. How can one measure a threat that has been prevented? A danger that is not there may lead to people to believe that the measures applied by policy makers, intelligence and security agencies have not created an impact whatsoever. Opposed to this underestimation there is also the possibility that prevented threats cause politicians to overestimate the impact their policies have on terrorism.

Kommentiert [M1]: Nice introduction. But where is the source? Your entire manuscripts needs sources after each paragraph.

Nevertheless, it is possible to note possible effects that stem from counterterrorism measures, due to certain developments that happened since the intensified "War on Terror" after the 9/11 attacks. This essay will first focus on the commonalities and differences regarding (unintended) effects of counterterrorism measures in France and in the US. The second part will the discuss the implications with regard to security on the one hand and liberty on the other.

Kommentiert [M2]: Very nice discussion.

1) Commonalities and differences

According to Hellmuth, "France was amng the European countries that did not engage in any soft counterradicalization programs" after the attack in Madrid on March 11, 2004. In other words, the French government did not attempt to prevent radicalization emanating from individuals or to reintegrate them into society but rather pursued measures that would severely punish terrorists or individuals plotting an attack on French soil. Even prior to the 9/11 attacks, France's counterterrorism institutions are said to be an important factor why the state did not experience any attacks from Jihadi terrorists after 1996 until 2012. Omand also states that "France successfully adapted its counterterrorism strategy in the 1990s", which allowed for a stronger security apparatus and pretrial procedures that are more flexible. This made it much easier to convict terrorists.

Kommentiert [M3]: This is a very nice introduction giving the author appetite for further reading. Also you're explaining what readers have to expect in the following. I like your style. Very precise, very concise.

Kommentiert [M4]: Yes!

Kommentiert [M5]: Well, if that's true how do you explain 2015/2016? What has changed?

However, the state has experienced three deadly attacks in 2015. These instances have surely proven that the police, security and intelligence agencies have failed in keeping the country safe from terrorist attacks. According to Omand, this is especially due to the flawed European approach to counterterrorism. He names two factors. The first is that the “agencies do not share information fast enough” and the second factor he names is that Europe has “porous borders”. This is especially important to note due to the increased number of refugees. These conditions are very helpful for terrorists that want to make their way to France. An additional factor would also be that Europe allows for a nearly unrestricted crossing of its member states' borders. Europe's open borders demanded an effective intelligence sharing of the neighbor countries. Under these circumstances, France's intelligence could certainly not have had an easy time in surveilling potential terrorist threats. Also, as Omand states, “when agencies misdiagnose post-attack threats, the government is less likely to invest to preempt future threats”. Since France did not have experience with real threat manifestations in form of attacks, there were not even “post-attack threats” to diagnose.

Kommentiert [M6]: Please elaborate. What about Nizza 2016? What are your selection criteria?

Kommentiert [M7]: There is more than just that. What about Paris' shortcomings?

As a consequence to the two Paris and the Nice attack, the French government increased counterterrorism spending and enacted its state of emergency. Since then, the state has made several efforts to coordinate the information between the police and security agencies. As part of these efforts, France has announced the foundation of twelve regional reinserion and citizenship centers “to help identify potential johadists and preventing radicalization” (Omand). To what extent these measures will be successful, the future will show as it is still too early to assess any effects.

Kommentiert [M8]: Be careful. At the beginning you've said that it is impossible to establish causality between CT and effectiveness.

However, it is possible to point out several manifest and possible effects of Frances state of emergency, which has been prolonged four times so far. Of the 3,200 raids and 350-400 house arrests, only five terrorism-related investigations have been initiated according to Human Rights Watch. Surely, it is highly questionable whether this number proves a success since it could have also been achieved without the state of emergency. Additionally, the high number of house raids shows that the majority must have had no impact on the intelligence collection or on the arresting of real terrorists. As such, the French state has spent too much money for an operation where it could have proceed in more deliberate terms. Also, a state of emergency does not represent a long-term answer.

Kommentiert [M9]: What's the time period? This information is important to better evaluate the dimensions.

Kommentiert [M10]: This is too one-sided. Be more careful and „balancing“ in a term paper.

Concerning the US, its measures come from a more different experience with terrorism. According to Omand, the US “failed to grasp the [terrorist] threat” prior to the 9/11 attacks.

The 1993 attack on the World Trade Center missed its goal of collapsing the building and as such, the agencies “missed the larger message” of a prevalent terrorist threat. Not until 9/11 did the state enact the Patriot Act, which expanded the governments' surveillance powers, and the Ashcroft Doctrine, which aimed at preventing terrorist acts, rather than punishing crimes after an attack. An important aspect would also be the killings of innocent civilians due to drone strikes, a measure which was furthermore enforced during the Obama administration. However, Byman argues that this strategy has largely proven to be effective as it does the “job remarkably well” in “killing key leaders”. According to his numbers, the drone program has killed about “3,300 Jihadist operatives”. He also undercuts the argument that drones do not kill off the leaders permanently by stating that the new leaders are “not as experienced”. Furthermore, Byman argues that drone attacks disrupt the “terrorists ability to communicate and to train new recruits”. Critics however maintain that targeted states might use the US drone program to sanction the US, disrupt the relations or even justify an attack on the US in the future. What is more, the majority of the Pakistani population views the US as its enemy. It is however unclear to what extent this was enforced due to drone strikes on Pakistani soil. In general, there have not been any major terrorist attacks on US territory and there has certainly not been another experience such as the one on 2001, which allows for the American counterterrorism measures to be regarded as effective.

Kommentiert [M11]: Please elaborate further. The Patriot Act is at the heart of US CT policy framework.

Kommentiert [M12]: Is this your opinion or Washington's?

2) Ramifications due to counterterrorism measures

As stated before, France's choice of upholding the state of emergency cannot be a long-term answer. This is not only due to its high ineffectiveness but it also breaches the public's liberties for an uncertain amount of time. Even if the state of emergency can be justified, the public has to “accept weaker protections of [its] human rights in pursuit of absolute security” (Omand). In this very aspect, the terrorists of the 2015 attacks fulfilled their goals: to evoke public fear and disrupt the everyday life of the French population. What is more, the raids during the state of emergency are reported to have been “abusive and discriminatory” and caused “economic hardship, stigmatized those targeted and traumatized children” (Human Rights Watch). Many citizens who had to endure long house arrests have later on been proven to be innocent of the charges, which shows a clear example of how this measure has clearly harmed people's liberties. In many cases, French residents experiencing these raids have been physically harmed by the police. So not only have liberties been breached but also the security of a minority has been harmed.

Kommentiert [M13]: Why? You yourself said earlier that 5 terrorist suspects might be worth it?

Kommentiert [M14]: Very good!!!

According to Richards, “[t]errorism [...] should be defined by the nature of the act, not by the identity of the perpetrators or the nature of their cause”. It is clear however, that the police has especially targeted Muslim communities. Since the vast majority of the house raids targeted Muslim residents, it appears as though the police has primarily focused on the membership of Islam as a way to look for suspects. Even if this is not the case, this is the message that comes across. As a consequence, there is a feeling of being treated in unjust terms and “defiance towards public authorities” (Human Rights Watch). Richards also points out that there is a “danger [...] in suggesting [...] a link between certain non-violent dogmas and terrorism” and as a result, “larger sections of the population [...] will become further alienated”. Here, the state of France might have lost many opportunities to cooperate with individuals of the Muslim communities in order to better pursue suspects. In fact, all these issues concerning the state of emergency question whether this strategy is even a counterterrorism measure. According to Lindahl, “counterterrorism is understood to compromise the policies that seek to eliminate terrorist environments and groups”. By alienating the Muslim communities and leaving them “feeling like second-class citizens” due to “security measures that violate human rights and rule of law” (Human Rights Watch), might lead individuals to surpass the threshold towards radicalization. In this aspect, the state of emergency can be a driver of terrorism. In more moderate terms, a state of emergency might not be a real counterterrorism measure because it focuses on security and the public order. Critics such as Human Rights Watch perceive such a strategy as a mere way to “reassure people” rather than targeting a threat.

Kommentiert [M15]: Nice link between Richard’s definition and your argument.

Kommentiert [M16]: Very good clarification!

Kommentiert [M17]: Great!

Kommentiert [M18]: Great!

The Ashcroft Doctrine and Patriot Act in the US led to early arrests with little concrete proof, “detentions without trial and targeted killings of enemy combatants far from any battlefield” (Omand). However, Omand states that these measures were rather counterproductive since they helped “reinforce extremist narratives” of the US as the enemy. Also, he argues that the Iraq war produced a “new generation of terrorists” and damaged the image of the state. Regarding the drone program, Byman argues that it has become “more palatable for the US to kill rather than detain suspected terrorists”. This not only harms the security of citizens in nearby target areas but it also strips targeted people of their right of getting a trial.

Kommentiert [M19]: You’re mentioning important issues. However, the link between Omand and Byman could have been better established.

Conclusion

It is definitely a hard task to come to a conclusion of whether the measures applied by France and the US have been successful in eliminating the terrorist threat. Nevertheless, there is very little proof that strategies such as the US drone program or the state of emergency as enacted by the French state will undercut the terrorist threat in the long run. Both strategies, as different as they may appear in the first place, have quite similar ramifications. They both create strong grievances within the targeted populations. These are very strong unintended effects that are rooted in the harming of liberty and security of innocent civilians. The state of emergency in France might have more dangerous implications as it has opened a breeding ground for radicalization within the Muslim communities on its very territory. Both the US and France should focus more on softer measures of counterradicalization such as sending imams to prisons where inmates might meet the danger of getting radicalized and to Muslim communities where recent house raids have taken place. Soft measures such as providing a hotline for people who are prone to becoming radicalized have already proven successful in France.

Kommentiert [M20]: Exactly. I like your way of arguing: on the one hand dadada, while on the other dadada..

Kommentiert [M21]: Nice observation.

Kommentiert [M22]: I agree. You should elaborate on de-radicalization.

Kommentiert [M23]: What is your empirical basis?

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Kommentiert [M24]: You've done a good job. Your paper would have benefitted from more elaboration on some important aspects.