

CHAPTER IV

TURKEY'S STRATEGIES ON OVERCOMING THE TERRORISM ISSUE

As mentioned in the previous chapter, Turkey has been experienced a terrible terrorism issue since Erdogan led Turkey as the Turkish president, even Turkey also experienced it a long time ago before Erdogan existed. Then in the chapter, I was described on how Turkey overcomes the terrorism issue by using the theory of Counterterrorism. Then it comes to the coercive counterterrorism and proactive counterterrorism. Which all those two theories will be explained more detail in this chapter.

A. Coercive Counterterrorism

As mentioned in Chapter III, the terrorist group in Turkey is divided into three kinds of terrorism which are the Separatist, Political and International Terrorism. The Coercive Counterterrorism was aimed for all kind of terrorism in Turkey such as separatist terrorism, political terrorism, and also international terrorism. For the separatist such as PKK and other Kurdish militant movements, the government mostly react to send the troops to fight against them. When the PKK and other Kurdish militant were attacking in Southeastern Turkey, the Turkish government react with sending the troops to do the military operation in the Southeastern of Turkey, the same thing to do for ISIS and Al-Qaeda. For the political terrorism, the government still rely on the military power that they have. But there is a little different in the coup at 2016 under Erdogan presidential, where not only the loyal military helps the government, but all of the citizens were going down to the street to oppose the coup attempt.

Before of all, we have to know what exactly the Coercive Counterterrorism is. This undergraduate thesis is using the concept of Counterterrorism by Ronald Crelinsten and

also the US government. According to the Cambridge Dictionary, coercive means using force or hard power to persuade people to do things that they are unwilling to do (Cambridge Dictionary 2018). Meanwhile, According to Crelinsten, there are five types of Counterterrorism which one of those types is Coercive Counterterrorism. Where according to him the Coercive Counterterrorism is relying on the state's ability on the use of violence, such as the exercising of hard power. With the object of violence are in the hand of the state. All the restrictions form the basis of the legitimacy which ruled by the state using the rule of law. whether nationally or internationally.

The Criminal Justice Model is a criminal justice approach that treats an act of terrorism as a crime. If one assumes the most common terrorist tactics, such as murders, kidnappings, armed attacks and bombings, which the result of the end is usually the destruction of property, injury or even death, in which all of those things are universally prohibited in the criminal law of all nations. In the previous time, terrorism was treated as an ordinary crime rather than a special one which offered a special procedure requirement and special punishment. The terrorism was only emphasized in the criminal action, not on their ideology or political movement. Those were changed when the tragedy 9/11 crashed in New York, US. All of the nations has been focusing on all aspect of the terrorism and become hundred percent aware of the terrorist activity and also the motives behind them. Then comes to the UN, when in 2005 United Nations asked all nations to take steps aimed at prohibiting by law and preventing of incitement to commit terrorist activities.

Another model of Coercive Counterterrorism is The War Model. The War Model treats terrorism as if there was an act of war or insurgency. According to Crelinsten, the War model is quick, effective, and ideal enough to match with the new kinds of threat such as terrorism. As well known that war

is commonly played by the states. Therefore, terrorism was treated as there was a war because this model wants to treat terrorism equal with a representative of a state due to the massive effect of destroying things and equal with the status of zero-sum conflict partner. Then, every state will seriously to combat terrorism as a state sees it as a big trouble for the sustainability of a state. That is why terrorism always uses the term of 'army' in their group to identify the executor. Then, it also relates to the law of war where it rules how wars should be fought and how non-combatants should be treated.

a. Legal Basis of Turkey's Security Governance on Coercive Counterterrorism

Since the Ottoman leadership, Turkey experienced the big wave of terrorist attack in their country. Then until the Atatürk's leadership and to the new era of Turkish leadership has been experienced many terrorism issues and can be concluded that Turkey as one of the country has complicated issues with terrorism, but also experience a lot on the terrorism issue. Based on the experience Turkey struggled hard to fight on terrorism and create the legal law to counter the terrorism Turkey has a detail legal basis to fight on terrorism. Turkey has the law on terrorism which defined as anti-terror law. The anti-terror law in Turkey has been amended into five times where the first published in 1991 and to the first amendment in 1995, then 1999, 2003, 2006, and 2010. Beside of the Anti-Terror law of Turkey, there is another law that related to the Anti-terror law which is the Penal Code and Criminal Code of Turkey. On this Turkish legal constitution, the first thing to be analyzed is the definition of terrorism according to the Republic of Turkey Anti-terror law: Law on Fight Against Terrorism of Turkey (Anti-Terror law), Act Number 3713, Chapter One: Definition and Terrorist Offences; Definition of Terrorism, Article 1 - Any criminal action conducted by one or more persons belonging to an organization with the aim of changing the attributes of the Republic as specified in the Constitution, the political, legal,

social, secular or economic system, damaging the indivisible unity of the State with its territory and nation, jeopardizing the existence of the Turkish State and the Republic, enfeebling, destroying or seizing the State authority, eliminating basic rights and freedoms, damaging the internal and external security of the State, the public order or general health, is defined as terrorism (Turkey 2010).

According to the Article number 1 on Definition of Terrorism there are many parameters to be defined as the terrorism, which is the first is an action was done by a person or more who part of an organization with the aim to change the system of the state such as politic, social, economy, constitution, legal, and secular. The second is the one who has an aim of damaging the indivisible unity of the state with its territory and nation. Third, jeopardizing the existence of the Turkish State and the Republic. Fourth, enfeebling, destroying or seizing the state authority. Fifth, eliminating the basic rights and freedoms. Sixth, damaging the internal and external security of the state, the public order or general health. So, there are six categories of terrorism according to the Turkish government, where anyone can be judged as the terrorism if they do one of those things.

Comes out with the question of how if a person with no organization commits a crime and he claims as the name of one organization. Then it comes to the answer by the law on fight against terrorism, Chapter I, Act Nr. 3713 amended 2010, article 2 on Terrorist Offender, paragraph 2 “Persons who, not being a member of a terrorist organization, commit a crime in the name of the organization, are also considered as terrorist offenders and shall be punished as members of such organizations” (Turkey 2010).

Based on the Anti-terror law of Turkey, the author will identify and classify the Anti-terror law of Turkey. In order to overcome the terrorism issue in Turkey, the Turkish

government set a comprehensive law by various ways which are the author could divide into two classifications, preventive (pre-action) and curative control (the action when terror attack is coming).

1. Preventive Control (Pre-action)

Preventive word is coming from the word of prevention which means the action of stopping something from happening or arising. Where the action is applied before the issue is happening and prefer to stop something before it actually happens. Meanwhile, in Turkey, the way of overcoming the terrorism has set to the one of the step prevention action, those actions are written in the anti-terror law, penal code, and criminal code (amended).

2. Curative Control (in-action)

Curative here means the action when terror attack is coming. While according to the Oxford dictionaries curative come from Latin word curare which means cure (Oxford Dictionaries n.d.). Means that to cure and handle the disease of terrorism that already spread over for the current situation.

From those two classifications, only the curative control that suite with the concept of Coercive Counterterrorism, so then here will be discussed more detail about curative control. Turkey sets the law on curative control toward the terrorist offenses and the criteria of terrorist offenses. There are many kinds of terrorist offenses with various of punishment which stated on the article number 302, 307, 309, 311, 312, 313, 314, 315, 320, and paragraph I of art 310 of the Turkish Penal Code. The author will take some article of 302, 307, and 311 for the examples of the Turkish law on Terrorist offenses. Such it reads at the article 302 number 1: “Any person who provokes authorities of a foreign country to start the war or to take hostile action against the Turkish

Republic, or cooperates with the authorities of a foreign country to serve this purpose, is punished with imprisonment from ten years to twenty years. The punishment to be imposed is increased by one third in case of execution of provocation act through press or broadcast organs.” Article 307 No. 1: “Those who attempt to abandon the rules stipulated by the Constitution of Turkish Republic, or try to bring constitutional order different than the one in force, or avoid implementation of the rules physically by use of force or threat, is punished with heavy life imprisonment.” Article 311 number 1: “Those who attempt to abandon the rules stipulated by the Constitution of Turkish Republic, or try to bring constitutional order different than the one in force, or avoid implementation of the rules physically by use of force or threat, is punished with heavy life imprisonment” (Turkish Government 2004).

These three articles on the Turkish Penal Code dated 26 September 2004 are the form of Turkish law and criteria on how the terrorist offenses to be defined and justified by the Turkish government. Besides the terrorist offenses also Turkey ruled the system of investigation and trial procedure as the curative control. One of the systems of the investigation is if the investigation being endangered, only the closest person of the detainee shall be notified about his or her situation based on the order of prosecutor as stated on the Law on fight against terrorism of Turkey, Act No. 3713 Chapter two: Criminal Procedure, Procedure of Investigation and trial, article 10, point a. in the point b, ruling the availability the assistance of defense lawyer, only one for a suspect during the detention period. The right of a suspect in detention to consult a lawyer may be limited for twenty-four hours upon a request of the Prosecutor and by the decision of a Judge; however, he or she cannot be interrogated during this period. The presence of the defense lawyer only one person during the interrogation of the suspect by the security forces in the point c, and any more detail of law that ruled the system of investigation and trial in this law.

The release sentence of the detainee has been ruled in the Law on The Execution of Penalties and Security Measures, Law No. 5275 dated 13 December 2004, Chapter Two: other Penalties, Measures, Conditional Release and Remand, Section Two Conditional Release, Article 107. The behavior in the prison is becoming the measurement of the benefit from conditional release as written in the Law number one. And there are 16 more laws on ruling the release sentence term in the Article 107 (Turkey 2004).

Turkey has also the law to react on protecting the victim of the terror attack. Special compensation laws for victims of terrorism have been enacted in 2004, Law no. 5233 on Damage Compensation arising from Terrorism and Counterterrorism which came into effect on 27.07.2004. The Act is intended to peacefully resolve the damage of natural or legal persons to the actions covered by Articles 1, 3 and 4 of CTL or activities within the sphere of counter-terrorism (Council of Europe 2013). Also mentioned in the Law on Fight Against Terrorism of Turkey Act No. 3713, Part Four: Miscellaneous Provisions, Article 22: Aid for other person suffering losses from terrorism “Persons who are injured due to terrorist activities shall be treated by the State. Citizens who suffered, or were harmed regarding their lives or property shall receive prioritized aid from the Social Welfare and Solidarity Fund. Educational expenses of the children of martyrs shall be reimbursed from this Fund. The scope and scale of the aid shall be determined by the Fund Board, under the condition that the Fund shall not surpass the amount to be specified by local authorities.” (Turkey 2010).

b. Implementation of Turkey’s Coercive Counterterrorism

Erdogan said after the terror attack happens in Istanbul, the most likely reaction from the Erdogan government will be further repression, suppression of the media, suspension of civil

liberties and extrajudicial crimes of their own (Independent, 2016). This policy is going to apply to counter all kind of terrorism in Turkey such as Separatist, Political, and International Terrorism. The statement is about Erdogan policy on how does he reacts toward the terrorist attack in Istanbul. Then, it has been showed that Erdogan wants to use hard power to combat the terrorism. Then here, we will deeply analyze on the Erdogan's statement above.

1. Repression

According to the Cambridge dictionary, the word repression means the use of force or violence to control a group of people (Cambridge Dictionary). The word repression that he used in his policy's statement was to make a big pressure toward terrorist groups by using military power as the tools to handle it because he believes by using hard power and beat the terrorism down is one of an effective way to stop the terrorist activity.

Turkey actively in sending the Turkish army and some missiles to attack the terrorist base as the implementation of coercive counterterrorism with hard power. As mentioned in a news site of Reuters that Turkish forces have launched a military offensive against Kurdish YPG (*Yekineyen Parastina Gel*: People's Defense Unit) fighters in Syria's northwestern region of Afrin in January 2018 but the conflict was started since 2017 where the betrayal of US toward Turkey is behind the case (Reuters 2018). That is the new one on the hot news of Turkey's attack on terrorism, but there still many cases on Turkey launched the military offensive toward terrorism.

Turkey's President Recep Tayyip Erdogan condemned all kind of terrorist activity which make a state of terror to the public area. It was shown after every terror attacks happen in Turkey, such as Ankara blasts tragedy which claimed as the deadliest terror attack in Turkey history. The attack was killed at least 95 people according to The Guardian news (The

Guardian 2015), and 103 was killed according to Independent news (Independent News 2016) and wounded around 250 people. The twin explosion outside Ankara's main train station targeted hundreds of people who gathered to protest against the violence between authorities and the Kurdish militant group.

Recep Tayyip Erdogan as the Turkish president has condemned the twin bombing attack in Ankara and saying the attack targeted the country's unity and peace. Erdogan said: "I strongly condemn this heinous attack on our unity and our country's peace. No matter what its origin, aim or name, we are against any form of terrorist act or terrorist organization. We are obliged to be against it together."

Erdogan also stated after the Istanbul attack in 2016 which The most likely reaction from the Erdogan government will be further repression, suppression of the media, suspension of civil liberties and extrajudicial crimes of their own (Independent 2016). Which is the government will be more active to fight against terrorism. As Erdogan declared on April 4th, 2016 that he will not have any further peace talks with the Kurdistan Workers Party (PKK), they either have to surrender to the state and lay down their arms or be "neutralized" (Rudaw 2016). It showed by many Turkey efforts to attack the terrorist bases in the counter-terrorism operation. One of the operations is the Turkish military operation in near Iraq's Sinjar mountains and northeastern Syria on Tuesday, April 25th, 2017. Turkish air force attacks Kurd PKK militants to prevent the group from sending weapon and explosives attack inside Turkey (Express 2017).

2. Suppression of the Media

According to the Cambridge Dictionary, the word of Suppression means the act of ending something by force; and or the act of preventing something from being seen or expressed or from operating (Cambridge Dictionary). Then, the sentence of suppression of the media is the reaction of Erdogan to give the limitation of the rights on media toward anyone who is in the behind of terrorist action or the supporter of terrorism or anyone who has a relation toward the terrorist group or terrorist activity from being seen or expressed or operating in the media. This action is under the Erdogan's confidence that this way would become more effective to minimize the terrorism issue, because of the media is the path to get many attentions from others and to get many followers to come. Then, Erdogan was strictly watching the media activity clearly in order to avoid things that are not desirable.

Turkey has arrested many journalists in the issue on terrorism relation and criticize action. As mentioned in at the Wall Street Journal source that a Turkish court ordered the formal arrest on Monday, August 30th, 2015 of three Vice News Journalists on terrorism-related charges. They arrested the day after detaining the foreign nationals as they covered a mounting Kurdish insurgency in the country's southeast (Peker 2015). On July 25th, 2016, Police in Istanbul detained Abdullah Kılıç, a former columnist for the shuttered daily newspaper *Meydan* as part of a purge of suspected followers of exiled preacher Fethullah Gülen. The Turkish government accuses Gülen of maintaining a terrorist organization and "parallel state structure" (FETÖ/PDY, as the government calls it) within Turkey and alleges that it masterminded a failed July 2016 military coup. Istanbul's First Court of Penal Peace ordered the journalist jailed pending trial on terrorism charges. On January 17th, 2017, Police detained Tanık as the chief editor of the news website *Rotahaber*, in the western province of Yalova. The following day, an Istanbul court punished him to

be jailed pending trial as part of Turkey's sweeping purge of suspected followers of exiled preacher Fethullah Gulen (Committee to Protect Journalists, 2017).

Those cases above were only a few number from many others journalists were arrested in Turkey, as proved in the chart below based on the data from Committee to Project Journalism Website:

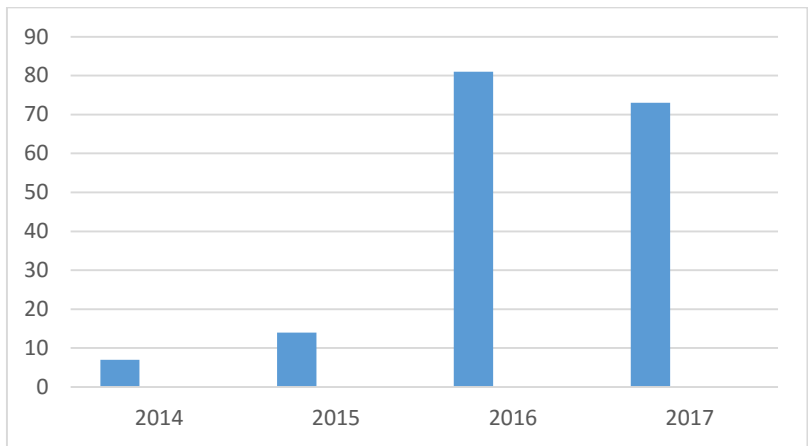


Figure 4.5. The Number of Arrested Journalists in Turkey 2014-2017

According to Committee to Protect Journalists in 2014 Turkey detained 7 journalists, in 2015 14 journalists, in 2016 81 journalists, in 2017 73 journalists. Turkey listed as the most jailed journalists in the world with the total of 177 journalists (Committee to Protect Journalists 2017). Erdogan said only two of 177 people in prison who declared their profession to be journalism have yellow press cards. One of these 177 is in prison for murder, while the rest are there because of their ties to terrorist organizations (Weise, 2017).

Not only arresting many journalists, the Turkish Government also silencing even removing the critical TV channels in Turkey and also fines imposed on Critical TV Channels. As shown in the data below:

Table 4.2. The Data of Removal and Fines Imposed on Critical TV Channels in Turkey by the Turkish Government

Time	Channel	Action	Note
October 2015	7 TV Channels	Removed	Turkey's main pay satellite network and TV operator Digitürk removed seven TV channels affiliated with the Gülen movement from its service, citing "legal obligations." A statement published by Digitürk after the decision said that the company had received a letter by the Ankara Chief Prosecutor's office, informing them of the criminal investigation and obliging them to take the channels off their satellite service.
February 24 th , 2016	IMC TV	Removed	The channel was spreading terrorist propaganda for the Kurdistan Workers' Party (PKK)
July 27 th , 2016	Can Erzincan TV	Removed	The channel was disseminating the views of Fethullah Gülen whom the ruling AKP accuses of running a terrorist organization that tried to overthrow the Turkish government.
June 10 th , 2016	Özgür Gün TV	Suspend all broadcasting for 24 hours	Due to a live news report from the town of Cizre on January 20, 2016, when the town was under military curfew and the scene of

			violent clashes between security forces and armed Kurdish militants.
June 16 th , 2016	Habertürk, NNTürk, Can Erzincan TV, Ulusal TV, Bengütürk, NTV, and HTV Hayat	Fined	Due to live broadcasting a parliamentary group meeting of the opposition Republican People's Party (Cumhuriyet Halk Partisi, CHP) on May 24, during which legislators chanted slogans that the regulator deemed to be insulting to Turkish President Recep Tayyip Erdoğan
Late September to early October, 2016	İMC TV, the pro-Kurdish Azadi TV, the local Van TV channel, and Jiyar TV	Fined and Closed down	Due to various offenses such as "violating the principles of impartiality and reporting the truth" and "provoking hate and enmity amongst the public based on gender, class, language, religious and regional divides."
January, 2017	Kanal D Channel – The Beyaz Show	Fined 850,000 Turkish Lira	for telling viewers to be "aware" of the many people killed during the ongoing violent clashes between security forces and the PKK.

Source: Publication of Human Rights Watch on the title "Silencing Turkey's Media; The Government's Deeping Assault on Critical Journalism." (Human Rights Watch, 2016)

Removing channels from broadcasting platforms, depriving them of viewers and income, and imposing fines on them has had a terrible effect on freedom of expression, especially in the case of small independent TV channels with limited resources. This has prompted broadcasters to soften criticism of the government and powerful actors who have links with the AKP. With the closure of 28 TV channels with a

decree after a failed coup, the Turkish government has effectively put an end to independent television broadcasts in Turkey (Human Rights Watch, 2016).

3. Suspension of Civil Liberties and Extrajudicial Crimes of Their own

According to the Cambridge Dictionary, the word of suspension means the act of stopping something happening, operating, etc. for a period of time; and or a punishment in which a person is temporarily not allowed to work, go to school, or take part in an activity (Cambridge Dictionary). The word of suspension of civil liberties and extrajudicial crimes of their own is another alternative way to minimize the appearance of terrorist activity. The opposition side becoming more unmanageable, then Erdogan wants to limit the rights of civil liberties and extrajudicial crimes to them in order to cut the attempt of intervention by the extremist group in a political affair in Turkey. That is why Erdogan sees this way is also need to be implemented in order to minimize the extremism activities making rebels in Turkey.

Another action from the Turkish government is coming from the legal basis of Turkey on anti-terror law. With those anti-terror laws, the author will show the only unique of Turkish action in combating the terrorism issue by using the anti-terror law as the basic law. Turkey has done with many implementations of the law to minimize the terrorism issue in their country. As the article number 1 about terrorism definition, Turkey was done with many arresting of academics that shout the critics toward the government. On March 15th, 2016 Turkey arrests three academics on charges of “terrorist propaganda” on Tuesday after they publicly read out a declaration reiterating a call to end the security operation in the mainly Kurdish southeast (Reuters 2016).

Then, with those actions, Turkey experienced a decline of freedom rating which shown by the data from Freedom House below:

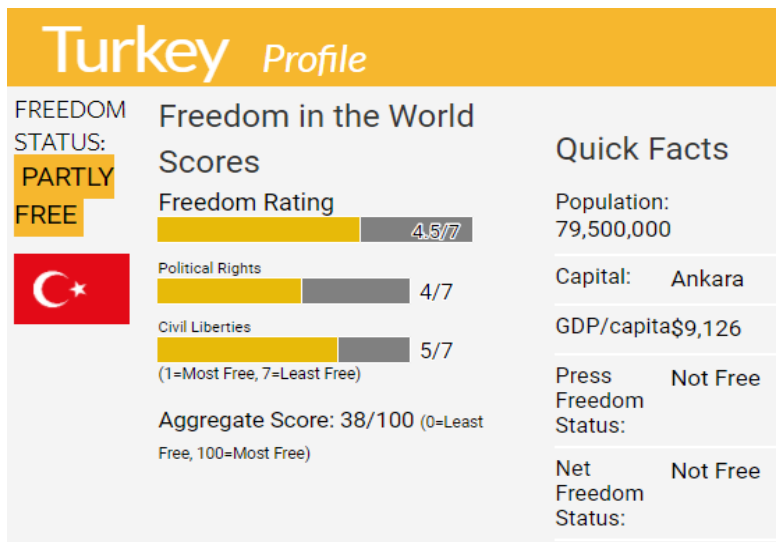


Figure 4.6. Turkey's Freedom Rating

Source: Freedom House Website

The rating of Turkish political rights declined from 3 to 4, the civil liberties rating declined from 4 to 5, and it received a downward trend arrow due to the security and political impact of a coup attempt in July, prompting the government to declare a state of emergency and mass arrests and dismissals civil servants, academics, journalists, opposition figures, and other perceived enemies.

The Turkish Republic regularly organizes multiparty elections. Although the prime minister has traditionally held the

bulk of executive power, Recep Tayyip Erdoğan has dominated the government since moving from prime to presidential in 2014. The Justice and Development Party (AKP) has been the ruling party since 2002. After first passing through some liberalization reform, the government has shown a decline in respect for political rights and civil liberties, especially in the last five years. The problem areas include minority rights, free expression, associational rights, corruption, and rule of law (Freedom House, 2017).

B. Proactive Counterterrorism

The Proactive Counterterrorism has a similarity with the Coercive Counterterrorism on the target that is going to be executed. The Separatist terrorism, Political terrorism, and International Terrorism are also the main object of the Proactive Counterterrorism's operation. Where the main goal of Proactive Counterterrorism is about preventing the terrorist action before it happens. For the separatist group such as PKK, the government along with the Spy agencies always control the movement of all separatist terrorist group by using all kind of preventing strategies, when something is going to be not desirable, then quickly the security agencies take an action. It is the same with international terrorism and political terrorism, but in international terrorism, besides using the spy activities, also established cooperation among the state to gain more power to combat the terrorism around the world.

Then, it comes to the what is exactly Proactive Counterterrorism. According to Cambridge dictionary, the term of proactive means taking an action by causing change and not only reacting to change when it happens, in other means proactive also taking action before it happens (Cambridge Dictionary 2018). Then, according to Crelinsten, Proactive Counterterrorism is about to prevent terrorism before it happens, in other word is preventive action. This concept is through the combining of internal and external security, the

mandates of domestic police, security intelligence agencies, border and customs officials are all gathered around to solve the problem in terms of movement of people, goods, and money. This concept of Proactive Counterterrorism has a model which is The Intelligence Model. The Intelligence Model has an important role as an element in any counterterrorism effort. In the Proactive Counterterrorism, the approach becomes central. The ultimate goal is not necessarily criminal prosecution, But the goal of intelligence operations such as to learn about what the terrorism suspects are up to do.

From the mid-1980s to the present, the Kurdistan Workers' Party (known as the PKK) is the main opposite of Turkish government rebels, although in recent years the Islamic State of Iraq and the Levant (ISIL) and the small Marxists - the Leninist Group has been instrumental in the terrorist attacks in this country. In addition, foreign fighters involved in the Syrian civil war have also caused national security problems in recent years.

Long before the heightened conflict this year with radical Islamic groups, in 1984, Turkey was involved in the fight against Partiya Karkaren Kurdistan (PKK, Kurdistan Workers Party), a domestic rebel movement led by Abdullah Ocalan to establish an independent Kurdish state in southeast Turkey (Yilmaz 2011). The United States and Turkey have marked the PKK as a terrorist movement. Since the military of PKK defeat at the hands of Turkish security forces in the 1990s and Ocalan's arrest in 1999, "the PKK has changed its rhetoric from efforts to gain independence over recognition of Kurdish identity and limited autonomy." Therefore, the period 1984 to 1999 has been characterized as a period of "terrorist" activity, while the period of Ocalan's arrest in 1999 to date can be called the period of "political" activity. In the turmoil of terrorism that engulfed Turkey at the time, Turkey has made a move to quell the conflict in Turkey by negotiating a ceasefire between Turkey and the PKK, but the deal has only been temporary. The

arduous ceasefire agreement between the PKK and the Turkish government that began in 2013 was canceled on July 20, 2015, when a suicide bomber killed a group of young Kurdish activists in the border town of Suruc, an act the PKK did not only took place in the Turkish state also to the Turkish government (Zeldin 2015). After long battles against PKK and rebels in Turkey, Turkey has been under new threat in recent years which has always threatened Turkey's security as shown by the emergence of ISIS movement in the Middle East. Not only Iraq and Syria are targeted by ISIS attacks but Turkey is also being the target of attacks by ISIS. The Turkish government looks seriously toward terrorism issue in their country and try to find any way to overcome the terrorism issue.

According to a report by the Terrorism Expert Committee of Turkey on 2013, "while maintaining its firm stance against terrorism, Turkey has taken an important step with the aim of improving democratic standards and expanding freedom," including the adoption of new codes of legislation and other legislation and measures administrative matters, such as "comprehensive training courses for law enforcement / judicial authorities on the protection of human rights." The country grants individuals the right to petition the Constitutional Court, establish an Ombudsman institution, and establish the National Institute of Human Rights of Turkey. In addition to raising respect for human rights and the rule of law and adopting a multidimensional approach "consisting of political, cultural, social and economic dimensions, and attention focused on international cooperation," Turkey has reportedly also created development capacity, defined by United Nations Development Program as "the process by which individuals, organizations, and communities acquire, strengthen and retain the ability to establish and achieve their own development goals from time to time," a pillar of other counterterrorism strategies.

Due to an amendment made in 2013, Turkish counterterrorism legislation in 2014 is said to be more in line with EU freedom of expression standards because it "has a narrow definition of terrorist propaganda, and criminalizes propagation against the declaration of an illegal organization only if content legitimizes or encourages action violence, threat or force. "Yet at the same time, the extent of the law has allowed Turkish authorities to" use it to hold and prosecute thousands of politicians, journalists, and activists. "Furthermore, with the development of a new terrorist threat, Turkey seems to adopt some of the more tough methods of dealing with terrorism. This includes revising the provisions of national security to increase police forces to search, use their weapons against those who attack police or other parties, and detain suspects in custody without warrants. The authorities also offered prizes of up to four million Turkish lira. (about US \$ 1.37 million) to informants who helped the government's crackdown on terrorism.

a. Legal Basis of Turkey's Security Governance on Proactive Counterterrorism

As mentioned above that the author divides Turkey's legal basis on anti-terror law which is the Preventive and Curative control. In the concept of Proactive Counterterrorism, the one which suite with Proactive Counterterrorism's concept is Preventive control. Then here would be explained more detail about the preventive control of Turkey's legal basis on anti-terror law. According to Oxford dictionary, prevention is The action of stopping something from happening or arising. Where the action is applied before the issue is happening and prefer to stop something before it actually happens. Meanwhile, in Turkey, the way of overcoming the terrorism has set to the one of the step prevention action, those actions are written in the anti-terror law, penal code, and criminal code (amended).

Prevention action is an important step for Turkey in overcoming the terrorism issue. While Turkey sets many prevention laws toward the terrorism issue in term of the pre-accident term. First, the announcement and publication article which stated in the law on fight against terrorism of Turkey Act Nr. 3713 amended 2010 on the article 6 in the first and second paragraph: (1) Those who announce or publish that a crime will be committed by terrorist organizations against persons, in a way that makes possible that these persons can be identified, whether or not by specifying their names and identities, or those who disclose or publish the identities of state officials that were assigned in fight against terrorism, or those who mark persons as targets, in the same manner, shall be punished with imprisonment from one to three years. (2) Those who print or publish declarations or announcements of terrorist organizations shall be punished with imprisonment from one to three years (Turkey 2010).

Turkey is preparing very well to overcome the terrorism issue in their country with various ways. One of them is the article above that showed us how Turkey prevents any possible things that bring terrorism comes out. The prevention of bad announcement and publication is important to avoid the propaganda and the state of terror in public and also the possibility of the terror attack occurrence. This article of law can be categorized as the pre-action to fight against terrorism.

Second law on the prevention action is the arrangement of terrorist organization law stated in the article 7 next after announcement and publication. "Those who establish, lead, or are a member of a terrorist organization in order to commit crimes in furtherance of aims specified under article 1 through use of force and violence, by means of coercion, intimidation, suppression or threat, shall be punished according to the provisions of article 314 of the Turkish Penal Code. Persons who organize the activities of the organization shall be punished as leaders of the organization (Turkey 2010).

Article 314 of Turkish Penal Code on Armed Organization: (1) Any person who establishes or commands an armed organization with the purpose of committing the offenses listed in parts four and five of this chapter, shall be sentenced to a penalty of imprisonment for a term of ten to fifteen years. (2) Any person who becomes a member of the organization defined in paragraph one shall be sentenced to a penalty of imprisonment for a term of five to ten years. (3) Other provisions relating to the forming of an organization in order to commit offenses shall also be applicable to this offense.

This article related to the first article above explaining the definition of terrorism under the Anti-terror law of Turkey which elaborates more on the ‘organization’ term. Then, the Third is the article 8 on Financing of Terrorism. Article 8, paragraph: (1) Whoever provides or raises funds with knowledge and intent that these will entirely or partially be used in the commission of terrorist offenses shall be punished as a member of the organization. The perpetrator shall be punished accordingly, even if the funds have not been used. (2) The term “funds” as mentioned under paragraph 1 of this article signifies any goods, rights, claims, revenues, benefits, or benefits and values derived from the conversion of those.

Turkey also sets on the anti-terror law not only to the offender but also for the fundraiser as the supporter of the terrorist organization. This action is very clearly important to minimize the amount of terrorist financial supporter. The terrorist organization only will develop if they have money and accommodation to sustain their organization. Then, cutting the financial support for terrorism is important to minimize the development of terrorism.

Another preventive action by Turkish government has released the law of giving a gift for anyone who cooperates with the government to report the terrorist activity. The gift to the informer of the crime that informs the location and the suspect

of the crime is ruled by the Law on Fight Against Terrorism of Turkey Act No. 3713, Part Four: Miscellaneous Provisions Article 19 “Those who have aided in the apprehension of offenders of crimes within the scope of this 3 The last part of the sentence (“under fifteen years”) has been erased following an amendment by article 10 the Act Nr. 6008, dated 22 July 2010. Law or those who have provided information on their whereabouts or identities shall be entitled to a monetary reward, on the condition that they have not acted in complicity in the perpetration of the same offense. The amount of the reward and the rules and procedure of rewarding shall be specified in a Regulation to be issued by the Ministry of Internal Affairs.” (Turkey 2010).

The law above should be implemented and publicized more to the public society in order to hand in hand with the government to fight against terrorism and criminal action. This law also can be implemented by all of the states to help the government eradicate the terrorism around the world. Because without the social cooperation the government is nothing.

b. Implementation of Turkey’s Proactive Counterterrorism

Meanwhile, Turkey also has responded to terrorism not only by adopting more stringent laws, but also, among other measures, by creating a terrorist blacklist, enhancing antiterrorist international cooperation, using an outreach program to communities to prevent terrorist recruitment, relying on Turkey’s chief religious affairs body to counter violent extremist messaging, and doing war against terrorism.

1. Blacklisting and Other Identification or Information-Sharing Methods.

Turkey also is known as the source of terrorism. Some have raised concerned that Turkey has been engaged in exporting terrorism, at least indirectly in that foreign fighters are involved in the Syrian civil war have been using Turkish territory to transit, immigration, and the smuggling of people and goods. According to a reporter, "Turkish Syrian policy has played an important role in fomenting conditions that allow ISIS to capture Mosul" and that, in light of its own border security, Turkey has allowed the Syrian border into a two-way jihadist highway. Besides that, there was a statement of the US State Department's Country Reports on Terrorism 2014 "throughout 2014, Turkey served as a source and transit country for foreign terrorist fighters wishing to join ISIL, al-Nusrah Front, other al-Qa'ida-affiliated organizations, and other groups in Syria."

As part of an effort to tackle the entry of foreign fighters or terrorism, according to NCC Director Rasmussen, "Turkey has stepped up its efforts to refuse entry to prospective foreign fighters based on information provided by warring nations," and created a Banned from Checklist. " On 30 January 2015, Interior Minister Efkana Ala stated that Turkey has banned the entry of about ten thousand people from ninety-one countries suspected of joining extremist groups in Syria via Turkey, noting that the ban had been instituted" because of work " He also reports that 1,085 people have been arrested in Turkey and deported. According to Ala, seven hundred Turks have become members of extremist groups in Syria, and the government is working on actions to deal with such people it and will "take action against them if it appears that they have 'committed crimes' in Syria. Other efforts to fight terrorism, including "deployment" Risk Analysis Unit 'to detect suspected foreign terrorist fighters in airports, land border crossings and border towns. " At least in 2014, Turkey has no Advanced Passenger Information /

Passenger Notes System, although it has reportedly requested technical assistance from the US Department of Homeland Security to develop it.

2. International Cooperation

The terrorism issue that has been attacked Turkey for decades, boosts Turkey to effectively countering terrorism in all its forms and manifestations, especially Turkey has been actively combating terrorism in International stage. ranging from FETÖ to PKK terrorist separatist ethics, and left DHKP-C to the religiously motivated terrorist groups such as Al Qaeda and DAESH, as well as terrorist organizations of "17 November" and "ASALA" (Turkey 2011).

With those experiences on fighting against terrorism, Turkey urges the international cooperation as a step to combat terrorism. Turkey's Prime Minister Binali Yildirim said "as the prime minister of a country which has struggled with terrorism for years, I believe that the fight against terrorism can only be achieved through international cooperation and solidarity," he said in a message as quoted by his media office. Also on the occasion of the 72nd United Nation Day, Yildirim condemned the terrorist attack the threaten the security of the world, calling for international cooperation to combat terrorism, Yildirim hailed the UN (Iblagh 2017).

Turkish president Recep Tayyip Erdogan stressed on July 29th, 2015 after the suicide bomb attack on July 20th at the Amara Cultural Center in the city of Suruc, near the Syrian border, and subsequent attacks against security forces of Turkey (BBC 2015). Erdogan stressed that Turkey was exercising its rights to combat the attacks as defined by the article 51 of the United Nations Charter, "which allows countries to engage in self-defense against an armed attack." More than 1,300 ISIL or PKK supporters reportedly arrested by the government, and has launched air strikes against ISIL in Syria and the PKK in Turkey

and northern Iraq, and has provided support to the US-led Global Coalition for Dealing with ISIL.³⁶ In response to the attack, Prime Minister Numan Kurtulmus, of the Justice and Development Party (AKP), urged the other three parties to be represented in the Supreme National Assembly - the People's Republican Party (CHP), the Nationalist Movement Party (MHP) and the Democratic People's Party (HDP) - to create a joint declaration as a stand against terrorism.

In June 2015, Turkish Finance Minister Mehmet Şimşek called on the EU to strengthen a joint effort to combat terrorist financing, noting that Turkey's Financial Crime Investigation Agency (Mali Suçları Araştırma Kurulu, MASAK) has agreements with forty-eight countries and ongoing negotiations take place with several countries.

It was reported by the US Department of State that Turkey's cooperation with other source countries of foreign terrorist fighters increased in 2014, in particular efforts to improve cooperation in the field of information, and that Turkey is an active member of the Global Coalition for Facing ISIL. It is also co-chaired by the United States Global Counterterrorism Forum and serves as a member of the Financial Task Force (FATF) and observers of the Eurasian Group to Fight Money Laundering and Financing of Terrorism. Turkey also plays an active role in the Committee of Experts on Terrorism and has participated in the Organization for Security and Cooperation in Europe (OSCE) Meeting on the Prevention of Violent Extremism and Radicalization that Leads to Terrorism.

Beside of that cooperation, Turkey also made a cooperation on a bilateral relationship with several countries such as Indonesia, Saudi, and many more. In 2017, Indonesian president Joko Widodo visited Turkey as a state agenda for certain purposes. Indonesia and Turkey established security cooperation especially on combating terrorism issue. Erdogan said that Indonesia is advance on combating terrorism issue,

another way Turkey also has a good experience on overcoming terrorism issue and that is why Turkey-Indonesia wants to establish cooperation on the terrorism issue. Besides Indonesia, Turkey also made cooperation with Saudi on countering terrorism issue in both countries. Where commonly knows ISIS exists and make some troubles in both states in Saudi and Turkey.

3. The Turkish Government Program to Counter Extremism

It has been a long time ago Turkey experienced with terrorism even since the early of the Republic of Turkey was established. Many programs or efforts have been implemented by the Turkish government for decades. Under the Erdogan administration, besides Turkey made a comprehensive anti-terror law, Turkey also made several programs to overcome the terrorism under Erdogan administration. There are two main programs of the government in preventing terrorism. First, The Turkish government has two important programs to counter radicalization of violence and violent extremism. The first is an outreach program run by the Turkish National Police (TNP) which seeks to prevent radicalization through initial contact with the community at risk. The program aims to reach vulnerable populations before they are exposed to propaganda and extremist messages. Police use social science research to undertake social projects, activities with parents, and in-service training for officers and teachers. The program prepares coaches, psychologists, coaches, and religious leaders to intervene to weaken the harsh extremist message and to prevent recruitment. Embassy of the U.S. in Ankara described the TNP program as "similar to anti-gang activities in the United States" using interventions to prevent recruitment (US Consulate General Istanbul 2015).

The second program undertaken by the government of Turkey is a program to counter violent extremist messaging. This

program is mainly run by the Religious Affairs Office of the Turkish Government also called by the Turkish as Dinayet. According to a counter-extremism project, Dinayet works to monitor as many as 85,000 mosques in Turkey and to promote a more moderate version of Islam to reduce radical thinking. Diyanet tries to achieve this goal by reinterpreting religious texts and teaching religious education under a more modern framework, and by arranging mosques with Diyanet officials (Counter Extremism Project 2018). Meanwhile, according to the United American embassy in Turkey, Dina yet is assigned to support traditional religious messages or values with more than 140,000 Diyanet religious officials across Turkey doing individual outreach to their congregations. despite its common goal of weakening violent extremist messages and reducing radical thinking. Diyanet also works with religious associations among Turkish diasporas to give them access to teaching and to assist them in building umbrella organizations. Diyanet supports in-service training for religious officials and lays workers through a network of 20 centers across Turkey (US Consulate General Istanbul 2015).

4. Tightening of Law Related to Maximize the counterterrorism.

In April 2014, the Grand National Assembly, the Turkish Parliament, adopted the Laws Amending the Law on State Intelligence and National Intelligence Organizations. This law extends the power of the National Intelligence Service (Milli İbbarat Teşkilatı, MİT) by allowing MİT to access personal data without a court order and by granting MİT agents immunity from prosecution for violating laws they may have made during their work. The law would be a crime when reporting or obtaining information about MİT and being given up to nine years in prison for media workers proven to publish information leaked from intelligence sources. Although the opposition Republican People's Party (CHP) indicates it will

petition the Constitutional Court to file a cancellation of Law no. 6532, but apparently the Court has not discussed the issue.

Many other amendments to the Turkish law in order to maximize the support on fighting against terrorism in Turkey. Another amendment is about strengthening the government's control of the internet. The General National Assembly in February 2014 adopted amendments to the country's Internet Law, Law No. 5651 that "to order the blocking of websites, allowing it to do so on vaguely defined grounds related to the right to privacy, without prior court approval, though a court had to uphold the order within 48 hours for a block to remain in place." Another amendment on March 27, 2015. issued two major "package" laws that had a major impact on national security and public order maintenance in the country. One of the package laws is Law no. 6638, Law on Amending Police Laws and Power Laws, the Laws of the Organization, Duties, and Authorities of the Gendarmerie, and Some Other Laws.

Those amendment, aimed at increasing police strength to conduct search; expanding situations where police can use weapons; giving the police the authority to detain people for twenty-four hours, without a warrant, for crimes involving violence and public violence (involving about ten types of violations contained in the Criminal Code, crimes contained in the Anti-Terrorism Act, and certain violations contained in the Meeting and Demonstration Bill, among others); allowing security personnel to wire intelligence in urgent situations for forty-eight hours (previously, twenty-four hours) without a judge's order; and allowing police officers to be "protected" or released, not just catch; and take the necessary legal procedures to deal with persons who violate the law in certain ways; and add to the list of new broad category offenders of those who "endanger the safety of others." (Zeldin 2015).

5. Other Erdogan's Policies toward Terrorism Issue in Turkey (2014-2017).

The Turkish presidential election of 2014 has led the Erdogan coming up to the highest level of power in the Republic of Turkey. Along with the Turkish under Erdogan leadership since 2014 has been many terrorism issues were faced by Turkey. Many analyses of the government performance since Erdogan leadership especially in the field of overcoming the terrorism issues. Terrorism issue since the Erdogan holds the highest level of power has been increased from the year before Erdogan led as a president. But then Erdogan was coming to the next level of confidence to solve any kinds of threat in Turkey especially terrorism.

Before it goes too deep, the author will define what kind of policy that will be defined in this section. Sloman and Moffet defined policy as to influence the behavior of a manager or managed. Whereas according to Wies policy is derived from management goals and define the desired behavior of the distributed heterogeneous system, application, and networks (Wies 1996). Meanwhile in this context is about the Erdogan's policy, so it is about the policy that coming up from the Erdogan. During his administration, Erdogan has been released so many policies by himself toward the terrorism issue. Then in this section will find out several Erdogan's policies toward terrorism issue.

First, the changing of terrorism definition on the Turkish law. After a suicide bomb attack in the country's capital of Ankara killed at least 34 people and wounded 125 others, The Turkish President has claimed the definition of terrorism should be changed to include "the supporters of terrorism" it can be included the Member of Parliament (MP), civil activists and journalists (Eleftheriou-Smith 2016). "Their titles as an MP, an academic, an author, a journalist does not change the fact that they are actually terrorists," Erdogan said. "It's not only the

person who pulls the trigger but those who made that possible who should also be defined as terrorist,” There was no difference, he added, between “a terrorist holding a gun or a bomb and those who use their position and pen to serve the aims.” he added On the next day after, three scholars were detained for the terror propaganda after reading out a declaration criticizing the government’s military operations in southeastern Turkey (Weise, In Erdogan’s Turkey, Everyone Is a Terrorist 2016).

But then, the expanding of terrorism definition is still in the process, meanwhile, Turkey got so many criticisms from an international forum such as United Nation. The criticism is addressed to the freedom of expression of the media in Turkey. Such as stated on the PEN International, Article 19, the Committee to Protect Journalists, Human Rights Watch, International Press Institute and Reporters Without Borders call the attention of the UN Human Rights Council to the continuous deterioration of freedom of expression and other human rights in Turkey. After the coup attempt on July 15, 2016, the Turkish authorities have made unprecedented crackdowns on the critics and the opponents. As noted by the UN Special Rapporteur on the right to freedom of expression and opinion after his visit to the country in November, counter-terrorism laws and a prolonged emergency were used to limit fundamental rights and freedoms, criticize and limit the diversity of views and opinions available in the public sphere (HRW 2017).

Second, the Erdogan’s policy urges the establishment of Muslim anti-terrorism body at OIC. Facing the 13th Summit of the Organization of Islamic Cooperation in Istanbul April 15th, 2016, Erdogan emphasized his belief that terrorism is the biggest problem facing the Muslim world. To effectively combat terrorism, he urged Muslim leaders to overcome their differences and address the issue from the security and financial channels. He called for support for a Saudi-led initiative for an Islamic alliance against terrorism and to "turn it into an effective

body." "Instead of waiting for other troops to intervene against terror incidents and other crises occurring in Muslim countries, we must produce our own solutions through an Islamic alliance," he said. Erdogan announced that a Turkish proposal to establish a center for police cooperation and coordination based in Istanbul had been accepted by 57 members of the Islamic bloc (Gulf News 2016).

Third, the Erdogan's policy to claim someone or group as terrorist, as Erdogan claimed Gulen as Terrorist. Gulen is one of the influenced people in Turkey also he allies with Erdogan before, but then it changes very quickly in the wake of a military coup in 2016. Erdogan claimed Gulen as the terrorist and the Turkish government wants the whole world to know there is a new name in terror which is FETO (Fethullah Gulen Terrorist Organization) (CBCnews 2016). After the tragedy, thousands of judges and soldiers have been arrested and Turkish officials have pledged to "clean up" a bureaucracy they say has taken rooted supporters of the exiled cleric, Fethullah Gülen, in a position of power (Shaheen 2016). While the most western countries were unfamiliar with Fethullah Gulen, by the recent failed coup in Turkey which murdered 246 people and around 9,000 were arrested, has changed it. Erdogan wants to spread the information about Gulen around the world as the terrorist. Erdogan also adamant that Gulen as a former ally, now is responsible for the rebellion, and the Turkish president's ambassadors around the world are spreading the message (CBCnews 2016).

Those Erdogan policies above gave the understanding that Erdogan has a big power to control the internal and external country, especially on the terrorism issue. As written above that Erdogan can change the terrorism definition according to best of him, claim a war toward terrorism, push the OIC members to create a Muslim anti-terror body that based in Turkey, and make such statement toward everyone to blame as the terrorist. Beside all of those Erdogan policies toward terrorism, there are also

many other policies which have been released by Erdogan. In short Turkey under Erdogan administration was very good to overcome the terrorism issue. By the hard power, hard thinking, and action that make Erdogan able to overcome the massive terrorism issue in Turkey.