

**SECURITIZATION OF CONTINUOUS THREAT –
CASE OF PAKISTAN’S DECISION TO ENACT *NATIONAL
ACTION PLAN* AS COUNTER-TERRORISM STRATEGY**

By
Amnah Amjad

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Supervisor: Professor Thomas Fetzner

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ABSTRACT

The securitization theory has gone through many revisions since its inception; however, much of the contribution in the field of securitization has been done in understanding securitization process where threat has been discontinuous in nature. There has been limited scholarship available in understanding the securitization of continuous threat. While the Copenhagen School does put forth the concept of institutionalized securitization where response to a recurrent threat becomes institutionalized in the form of establishment of military or bureaucracy; however, it does not elaborate on how the whole process of securitization unfolds when the nature of the threat is recurrent or continuous. The thesis aims to analyze intersubjective relationship between the actor and the audience over time and argues that securitization of continuous threat may not necessarily end in institutionalize form. The securitization process continues till security framing and contestation to adopt the means to deal with the threat are intersubjectively established among the actor and the audience.

The case of securitization of terrorism in Pakistan is chosen to illustrate how securitization process unfolded when the continuous threat of terrorism became an existential threat to the state of Pakistan. By analyzing the intersubjective relationship between the government of Pakistan and the Parliament for the adoption and renewal of the *National Action Plan (NAP)* as counter-terrorism strategy, the thesis illustrates that securitization of terrorism did not end in institutionalized form. While terrorism remained existential threat, the Parliament contested the renewal of *NAP* and in fact, proposed amendments to ensure that *NAP* does not become normalized or institutionalized.

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LIST OF ABBREVIATIONS

APC	All Party Conference
APS	Army Public School
FATA	Federally Administered Tribal Areas
JUI-F	Jamiat Ulema-e-Islam (F)
MNA	Member of National Assembly
MQM	Muttahida Quami Movement
NA	National Assembly
NAP	National Action Plan
PM	Prime Minister
PML-N	Pakistan Muslim League (Nawaz)
PML-Q	Pakistan Muslim League (Quaid-e-Azam Group)
PPP	Pakistan Peoples Party
PTI	Pakistan Tehreek-e-Insaf
TTP	Tehrik-e-Taliban Pakistan

INTRODUCTION

The Post-Cold War era challenged the traditional understanding of security studies and consequently, many critical theories have been developed by scholars that proposed revisions in understanding security through the constructivist approach. Theorists associated with the Copenhagen School – Barry Buzan, Ole Waever, and Jaap de Wilde – in their book *Security: A New Framework for Analysis* define a new approach to study security.¹ This new approach challenges the military and state-centric view of security, which was occupied with the nuclear politics of the Cold War and provided a narrow framework of security studies.² With the end of the Cold War, this narrow focus of traditionalists in studying strategic security that was solely based on military understanding, was challenged by the Copenhagen School.³ It presented a wider framework to study security that did not aim to push traditionalist position out of the security studies, instead it incorporated it.

According to the Copenhagen School, an issue becomes a security issue in international relations when a threat is presented as an existential threat to a referent object that does not necessarily need to be the state.⁴ The threat faced by the referent object in question differs across different sectors.⁵ In military sector, a referent object could be a state; in political sector it could be sovereignty or ideology of state; in economic sector referent objects can be specific regime or global market; in societal sector collective identities are usually the referent object; and in environmental sector individual species, climate and biosphere can be referent objects.⁶ By presenting an existential threat to a referent object, the securitizing actor justifies the use of

¹ Barry Buzan, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis* (United States of America: Lynne Rienner Publishers, 1998).

² Ibid., 2.

³ Ibid., 3.

⁴ Ibid., 21.

⁵ Ibid., 21-22.

⁶ Ibid., 22-23.

extraordinary measures to handle the threat that the actor could not use otherwise.⁷ Hence, by declaring a ‘security situation’ due to an emergency, the securitizing actor justifies the use of extraordinary means to handle the emergency.⁸ Securitization thus is an extreme form of politicization in which a securitizing actor uses the rhetoric of existential threat to a referent object and proposes to deal the issue out of normal politics, i.e. by adopting extraordinary measures.⁹ Hence, as per the Copenhagen School, “the exact *definition* and *criteria* of securitization is constituted by the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects.”¹⁰

Buzan et al. argue that securitization should be understood as an intersubjective and socially constructed process where the threat, whether real or perceived, develops legitimacy that needs survival and thereby gets the approval from the audience to adopt the measures that would not have been legitimate otherwise.¹¹ To call securitization as successful, it is necessary that the audience accepts the security speech act of the securitizing actor, i.e. it accepts the existential threat “to a shared value.”¹² As the theorists of the Copenhagen School argue, “security ... ultimately rests neither with the objects nor with the subjects but *among* the subjects.”¹³ This implies that security act is negotiated between the securitizing actor and the audience, where former tries to convince the audience of the existence of grave threat that needs to be dealt through extraordinary means and latter’s acceptance provides justification to break free of the rules. Hence, the securitization process is contested between the securitizing actor and the audience.

⁷ Ibid., 21.

⁸ Ibid.

⁹ Ibid., 23-24.

¹⁰ Ibid., 25.

¹¹ Ibid., 31.

¹² Ibid.

¹³ Ibid.

The criteria and definition of securitization have been provided by the pioneers of the original theory; however, these criteria and definition have been applied to understand securitization process starting with single-case incidents. Different scholarships have been produced by scholars to understand the intersubjective relationship among the actor and the audience in the securitization process. The works of Thierry Balzacq,¹⁴ Paul Roe,¹⁵ Rita Floyd,¹⁶ and Adam Cote¹⁷ provide theoretical contributions in understanding how intersubjectivity is to be understood in the securitization process. While Balzacq and Roe attribute an important role to the audience in providing moral and formal support to the securitizing actor to adopt exceptional measures against the threat, Floyd does not ascribe active role to the audience. Hence, unlike in the works of Balzacq and Roe, intersubjectivity does not have a defining position in the securitization process in Floyd's work, where pivotal role is played solely by the actor's speech act to change the behavior of the aggressor. Cote, on the other hand, defines intersubjectivity as a relationship where audience takes on active role that can have an independent effect on the outcomes of securitization process. While these scholars made effective contributions to the existing literature in understanding intersubjectivity in the securitization process; however, they provided reconceptualized understanding of intersubjectivity based on the threats that are discontinuous in nature.

The original theory of securitization does put forward the concept of institutionalized securitization that is developed in response to a recurrent threat. The Copenhagen School argues that if a threat is recurrent then the response to such threat becomes institutionalized.¹⁸

¹⁴ "The Three Faces of Securitization: Political Agency, Audience and Context."

¹⁵ "Actor, Audience(s) and Emergency Measures: Securitization and the UK's Decision to Invade Iraq."

¹⁶ "Extraordinary or Ordinary Emergency Measures: What, and Who, Defines the 'success' of Securitization?"

¹⁷ "Agents without Agency: Assessing the Role of the Audience in Securitization Theory."

¹⁸ Buzan, Waever, and Wilde, *Security*, 27.

The need for drama falls away as by talking about the issue, urgency is assumed. The examples of institutionalized securitization are the establishment of military and bureaucracy to deal with endured threats such as invasion or an armed attack.¹⁹ While the work of Buzan, Waever and Wilde does mention the securitization of recurrent threat; however, they associate securitization of recurrent threat with institutionalized securitization. Similar arguments have been made by Roe who argues that persistent threats are often institutionalized where either the need of audience's approval is not needed or where previous successful case of securitization "may legitimize a further series of measures over a given period of time."²⁰ The association of recurrent threat with institutionalized response ignores other possibilities the way securitization may unfold. There may be instances when the sense of urgency falls away as the threat level decreases, or even if the threat level remains the same the measures are contested over time. Correlating securitization of recurrent threat with institutionalized securitization also under-theorizes the process of securitization of continuous threat. Although some explanation has been provided by Adamides and Neal,²¹ there is limited explanation available on how the process unfolds when the threat is of recurrent or continuous²² nature.

The aim of this research is to fill in the gap in the literature of securitization of continuous threat. It aims to address the question how securitization process unfolds in the case of continuous threat. By analyzing the intersubjective relationship between the actor and the audience in the securitization of continuous threat, the thesis also tries to address that how intersubjectivity can help explain the extent securitization process can be traced.

¹⁹ Ibid., 27-28.

²⁰ Paul Roe, "Actor, Audience(s) and Emergency Measures: Securitization and the UK's Decision to Invade Iraq," *Security Dialogue* 39, no. 6 (December 1, 2008): 618.

²¹ The works of Copenhagen School, Paul Roe, Constantinos Adamides and Andrew Neal will be explained in detail in the next chapter.

²² The words 'recurrent' and 'continuous' are used interchangeably in the thesis.

By looking at the actor-audience relationship in the securitization process, which is defining criteria of securitization, I argue that in the case of securitization of continuous threats, the intersubjective relationship between the actor and audience may change over time; however as long as the audience accepts the framing of the threat and approves the exceptional measures,²³ the securitization process continues. The change in the intersubjective relationship between the actor and the audience can be the result of contestation and negotiation between the actor and the audience regarding the continuity of measures. The need of drama may not necessarily fall away; that means institutionalized response to the continuous threat may not necessarily be the outcome. I argue that the securitization process can be traced till the existential nature of continuous threat and the measures proposed to deal with the threat are intersubjectively established between the actor and the audience. As compared to the existing literature on securitization process that is based on discontinuous threats, the research aims to contribute in explaining the securitization process when the threat is of continuous nature and when the actor continues framing it as an existential threat and seeks for continuous approval of the audience to continue extraordinary means.

Importance of the Case Study

The case of securitization of terrorism in Pakistan is used to illustrate how securitization process unfolded when the state of Pakistan was faced with the continuous threat of terrorism. Pakistan has been facing continuous threat of terrorism since its decision to join the United States in War on Terror in 2001. An estimate of 60,000 people²⁴ in Pakistan have lost their lives in terrorists' incidents till 2018. Loss of lives had questioned the legitimacy of the government. The decade of democracy in the country (from 2008 till today) has been characterized by internal security challenges, the most important being terrorism and

²³ The words 'measures' and 'means' are used interchangeably in the thesis.

²⁴ "National Action Plan," Ministry of Information Broadcasting, National History and Literary Heritage, Government of Pakistan, n.d.

extremism. Despite the grave challenge of terrorism faced by the country, use of a comprehensive anti-terrorism strategy could not be achieved until an attack on *Army Public School (APS)*, carried out by terrorists affiliated with *Tehrik-e-Taliban Pakistan (TTP)* on 16 December 2014 that killed 141 people including 131 schoolchildren,²⁵ brought all political elites of the country on one platform against terrorism. As a response to this, the *National Action Plan (NAP)* was adopted through the constitutional amendment to rid the threat of terrorism in the country.²⁶ The main component of NAP was the establishment of military courts for two years that aimed to conduct speedy trials of civilian terrorism suspects. Although Pakistan had been continuously facing the threat of terrorism, the issue had not been previously declared as a national threat at this level of the federal decision that demanded prompt legal response to tackle the threat. Once the sunset clause of two years expired, the military courts were resumed for another two years through another amendment to the Constitution of Pakistan following multiple meetings and discussions between the government and political opposition.²⁷

The case is interesting and important as the nature of securitization of terrorism in Pakistan changed over time where the government not only tried to convince the Parliament about the continued existence of grave threat but also convinced it to re-adopt the same measures that it proposed when terrorism as existential threat and NAP as means to deal with the threat was initially established. Since the case depicts the relationship between the actor and the audience over time, i.e. when emergency measures were adopted for the first time and when they were re-adopted once they lapsed because of the sunset clause in the constitution, the case helps analyze securitization process of continuous threat. The case also helps explain

²⁵ Ismail Khan, "Taliban Massacre 131 Schoolchildren: Principal among 141 Dead in Attack on Army Public School, Peshawar," DAWN.COM, December 17, 2014.

²⁶ "National Action Plan Hailed," DAWN.COM, December 26, 2014.

²⁷ Muhammad Bilal, "Military Courts Resume in Pakistan," DAWN.COM, March 31, 2017.

the extent to which security framing and need for drama in establishing response to the threat continues – an important component that has not been addressed so far in the field of securitization. Much of the scholarship available on the securitization process deals it as a one-time process where securitization is successfully achieved when the actor can convince the audience of the existential threat that requires extraordinary measures to be dealt with. However, there is lack of scholarship available on analyzing the securitization process over time. By understanding intersubjectivity in securitization of terrorism in Pakistan, the research illustrates that although the nature of intersubjective relation between the securitizing actor and audience may change over time; however, the securitization process continues as the contestation between the actor and the audience regarding the means to deal with the threat also continues.

Methodological Framework

I have used Discourse Analysis as my method of research. Discourse Analysis is the examination of how things are and how language has been used.²⁸ It is done to analyze continuity, change or rupture in a discourse within a specific historical moment or over time.²⁹ Since the research aims to analyze when and how terrorism was established as a security threat to the sovereignty of the state and how the audience approved or contested the threat and/or means to deal with the threat, hence discourse analysis is the most suitable method to study security discourse.

I have analyzed security discourse in the speeches, debates and official statements of politicians. The security discourse has been analyzed between the time-period of December 2014 and April 2017. The reason for choosing this timeframe is that the terrorist attack on APS

²⁸ Kevin C. Dunn and Iver B. Neumann, *Undertaking Discourse Analysis for Social Research* (University of Michigan Press, 2016), 4.

²⁹ Ibid.

was conducted on 16 December 2014 following which the twenty-first amendment to the constitution of Pakistan was passed allowing establishment of military courts to deal with terrorism cases for two years, i.e. till January 2017. To analyze the continuous construction of terrorism as an existential threat, continuous reiteration of the importance of measures adopted, and contestation of the measures by the opposition, it is important to look into the security discourse between the timeframe of the establishment of military courts (twenty-first amendment) to the renewal of military courts (twenty-third amendment). Since this period lasted until April 2017, hence the timeframe to analyze my data has been from December 2014 till April 2017.

To analyze the discursive framing of terrorism an existential threat, I have analyzed speeches of the Prime Minister of Pakistan, political statements on terrorism and NAP by the Interior Minister of Pakistan, debates in the Parliament of Pakistan (i.e. National Assembly and Senate), legal documents of the two constitutional amendments and news articles from the leading English language newspaper in Pakistan, *DAWN*. The first set of data for my research, i.e. the speeches (addressed to the nation) by the Prime Minister, Nawaz Sharif, that I have analyzed were delivered after two separate terrorist incidents in the country – one after the attack on APS and the other after an attack in a park in Lahore in 2016. The thesis does not underestimate the role of masses as an audience but the research focuses on the role of Parliament as the audience who contested and provided legal support for adopting the measures. Although the speeches of Prime Minister were addressed to the public, they served an important purpose of declaring ‘emergency’ in the country, proposing measures to deal with the situation and later justifying measures to tackle the threat. Hence, it is important to analyze

these speeches to examine the security rhetoric of actor. The official record of speeches has been collected from the website of “Prime Minister’s Office, Islamabad, Pakistan.”³⁰

The second set of data contains the political statements of the Interior Ministers of Pakistan, Chaudhry Nisar Ali Khan, who had a major role to play in convincing the Parliament of the measures against the threat of terrorism. The Interior Minister of Pakistan is responsible to look after internal policies, internal peace and security, hence his political statements on terrorism in the country and NAP have been used to analyze security discourse. Apart from his debates in the National Assembly, the statements issued by him in press conferences have been analyzed as well. I have also done document analysis of official minutes of debates in the National Assembly and the Senate of Pakistan on adoption as well the continuation of military courts. The Parliament of Pakistan consists of the President and the two Houses – the National Assembly and the Senate.³¹ The National Assembly consists of 342 seats³² whereas the Senate consists of 104 members.³³ A Bill regarding any matter can be generated in either house and if it is passed by the House in which it is originated, it is transferred to the other House; after which the Bill is presented to the President for assent.³⁴ The Bill requires the approval of the majority of the present members in both the Houses before it is presented to the President.³⁵ The analysis of the debates in Parliament is crucial part of the research as they provided insight into the government’s (securitizing actor) as well as Parliament’s stance (audience). The analysis of these debates helped me analyze the contestation carried out between securitizing

³⁰ The website of the Prime’s Minister Office, Pakistan is: <http://www.pmo.gov.pk/>

³¹ Article 50 of The Constitution of the Islamic Republic of Pakistan.

³² Article 51(1) of The Constitution of the Islamic Republic of Pakistan.

³³ Article 59(1) of The Constitution of the Islamic Republic of Pakistan.

³⁴ Article 70(1) of The Constitution of the Islamic Republic of Pakistan.

³⁵ Article 70(3) of The Constitution of the Islamic Republic of Pakistan.

actor and the audience regarding adoption of the measures. These official minutes are were taken from the official websites of Parliament³⁶ and Senate³⁷ of Pakistan.

I also analyzed the official documents of the two amendments to the constitution of Pakistan – twenty-first and twenty-third amendments. Twenty-first Amendment to the constitution of Pakistan served as the basis for establishment of military courts under NAP for two years, i.e. from 7 January 2015 till 6 January 2017, hence the document analysis of these amendments provides an understanding of the extraordinariness of the measures adopted. Similarly, the twenty-third amendment to the constitution of Pakistan allowed for the renewal of these military courts for another two years, i.e. from 7 January 2017 till 6 January 2019. The documents of these amendments have been obtained from the website of “The Constitution of the Islamic Republic of Pakistan”.³⁸ Apart from these set of data, I also analyzed the news articles published by the oldest and the leading English newspaper of Pakistan, *DAWN*. The articles were used to gather information regarding the terrorist incidents in the country and the response of the political elites that followed thereof.

In the following chapter, I will provide conceptual reflection on securitization of continuous threat based on the available literature. The chapter will provide critical evaluation of the existing literature on securitization of continuous threat. In the second chapter, I will provide an overview of the history of terrorism in Pakistan. The chapter will shed light on the evolution of terrorism in the country and the state’s counter-terrorism strategies in the past. The third chapter explains the securitization process and the intersubjective establishment of threat and means in the wake of APS terrorist attack. The fourth chapter will analyze the unfolding

³⁶ Official website of the National Assembly of Pakistan is:
<http://www.na.gov.pk/en/debates.php>

³⁷ Official website of the Senate of Pakistan is:
<http://www.senate.gov.pk/en/debates.php>

³⁸ The website containing latest Constitution of Pakistan along with the amendments:
<http://www.pakistani.org/pakistan/constitution/>

of securitization process in the post-APS attack period (till renewal of the military courts). The chapter will offer insight on how negotiation took place between the actor and the audience before reaching a consensus on the renewal of military courts. The final section will provide the concluding remarks and will summarize the main findings of the research.

CHAPTER 1: CONCEPTUAL REFLECTION ON SECURITIZATION OF CONTINUOUS THREAT

The original theory of securitization has gone through revisions since its inception and many scholars have contributed to the literature of securitization to clear ambiguity and under-theorization in the theory. The securitization of continuous threat has been under-theorized or has remained overlooked. Theorists of the original theory, Buzan, Waever and Wilde, provide the concept of institutionalized securitization in response to a recurrent threat. They argue that “if a given type of threat is persistent or recurrent, it is no surprise to find that the response and sense of urgency become institutionalized.”³⁹ Establishment of military and bureaucracy in response to an endured threat such as an armed attack are examples of institutionalized securitization.⁴⁰ However, they argue that it does not mean that security has been reduced to normal politics.⁴¹ It is only that “the need for drama in establishing securitization falls away, because it is implicitly assumed that when we talk of the issue we are by definition in the area of urgency.”⁴² Hence, there remains no need of speech act to declare an issue as an existential threat and no need of intersubjective establishment of extraordinary measures to deal with the issue. If response to a recurrent threat has been institutionalized, then the sense of urgency has already been established; meaning only by saying something as, for example ‘defense’, the need for priority is implicitly understood.⁴³

While the Copenhagen School does mention the securitization of recurrent threat and how it can be different than the ad hoc securitization by being institutionalized securitization; however, it does not elaborate on how the whole process of securitization unfolds when the

³⁹ Buzan, Waever, and Wilde, *Security*, 27.

⁴⁰ Ibid., 27-28.

⁴¹ Ibid., 28.

⁴² Ibid.

⁴³ Ibid.

nature of threat is recurrent or continuous. This also implies that it does not clarify the extent to which the process of securitization can be traced. The explanation provided by the Copenhagen School is that “behind the first layers of ordinary bureaucratic arguments, . . . [there is] . . . repetition of a security argument so well established that it is taken for granted.”⁴⁴ This depicts that the Copenhagen School associates securitization of recurrent threat with the institutionalized securitization whereby assuming that the institutionalized response has been achieved through repetitive security arguments. It argues for the repetitive security argument of recurrent threat that ultimately legitimizes the institutionalized response to the threat. While this may be true for recurrent threats like that of an armed invasion but this may not always be the case. It may not necessarily mean that response to recurrent threat becomes institutionalized. Moreover, by saying that bureaucratic arguments have layers of repetitive security arguments, the Copenhagen School assumes that the whole securitization process, i.e. till the response becomes institutionalized is monotonous or uniform.

Securitization, as argued by the Copenhagen School, is an intersubjective process. If securitization is intersubjectively held between the actor and the audience, then even in case of recurrent threat, intersubjectively must have important role in securitization where threat and means to deal with the threat are established among the actor and the audience. Hence, it may be possible that in case of recurrent threat this intersubjective establishment of threat and means may cease to exist over time, it may change its nature after some time or it may continue repetitively. The Copenhagen School did not clarify on how the process of securitization may evolve in case of recurrent threats. Correlating securitization of recurrent threat with institutionalized securitization overlooks the intersubjective process that takes place during the securitization of continuous threats. There may be possibility that at over a period, the audience ceases to accept the security framing of threat or it may accept the security framing but does

⁴⁴ Ibid., 28.

not accept the extraordinary means. It may also be the case that it does accept the security framing as well as the need to handle the issue through exceptional means but may not agree with the measures proposed by the actor. Hence, it is important to understand how intersubjective relation between an actor and the audience unfolds, that can also explain the extent to which one can trace the process of securitization of recurrent threats.

Apart from the Copenhagen School, other scholars like Paul Roe, Constantinos Adamides and Andrew Neal also dealt with the concept of institutionalized securitization or how the security framing unfolds over time. Roe uses similar expression as used by the Copenhagen School for securitization of ‘persistent or recurrent’ threats where threats become institutionalized in the form of states establishing military.⁴⁵ While elaborating the role of the audience, he argues that in the case of institutionalized securitization audience’s role is either marginalized or excluded.⁴⁶ The military sector establishes enough legitimacy to deal with recurrent threat that it does not require approval of the audience.⁴⁷ This happens in the case of covert military operation where seeking audience support or involving it in the process may reveal important information to the enemy.⁴⁸ Moreover, he writes that previous successful securitization “may legitimize a further series of measures over a given period of time.”⁴⁹ In such case of institutionalized securitization, the intersubjective establishment of threat that had legitimized measures, had already been established between the actor and the audience; hence the actor carries on measures like the earlier ones without seeking approval of the audience.⁵⁰

⁴⁵ Paul Roe, “Actor, Audience(s) and Emergency Measures: Securitization and the UK’s Decision to Invade Iraq,” *Security Dialogue* 39, no. 6 (December 1, 2008): 618.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

The works of both the Copenhagen School and Roe deemphasize the significance of the intersubjective relationship between the actor and the audience in case of the securitization of recurrent threat. They associate the securitization of recurrent threat with the institutionalized securitization whereby assuming that the institutionalized response is achieved through repetitive security arguments. Hence, the intersubjectivity in the securitization process, which is an important criterion for securitization, has been downplayed by ignoring the audience's role that is important even in the securitization of continuous threats. While the Copenhagen School does not clarify the role of audience in the securitization of persistent threats,⁵¹ Roe excludes its role whatsoever.⁵² The Copenhagen School argues for the repetitive security argument of recurrent threat that ultimately legitimizes the institutionalized response to the threat. Roe's presumption is that in the case of recurrent threat, if the intersubjective establishment of the threat as well as means to deal with the threat have already been established between the actor and the audience, then there may not be a need for further contestation between the actor and the audience regarding the threat as well as means to deal with the threat. The role of the audience was relevant till successful securitization was achieved and becomes irrelevant for further measures. Roe either denies intersubjectivity in the securitization process or considers it important till the threat and means were successfully established, hence downplaying further importance in the process.

Correlating securitization of recurrent threat with institutionalized securitization overlooks the intersubjective process that takes place during the securitization of continuous threats. Roe's argument of the minimal role of the audience once the response has been institutionalized sheds lights on what comes after the establishment of a response rather how the process unfolds between the actor and the audience during the process. Hence, it may be

⁵¹ Buzan, Waever, and Wilde, *Security*, 28.

⁵² Roe, "Actor, Audience(s) and Emergency Measure," 618.

possible that in case of recurrent threat, the intersubjective establishment of threat and means may cease to exist over time, it may change its nature after some time or it may continue repetitively. Analyzing the process and intersubjectivity among the actor and the audience can help explain that to what extent security framing and contestation to establish and maintain the means to deal with the threat continues. This also explain that the need of contestation between actor and the audience may not end over time even if the existential threat remained the same. The institutionalized response may not always be the outcome of the securitization process of recurrent threat.

Unlike the Copenhagen School and Roe, who focus on the outcome of securitization of recurrent threats in the form of institutionalized securitization, Constantinos Adamides⁵³ and Andrew Neal⁵⁴ analyze how security framing unfolds over time. Adamides argues that in case of ethnic conflicts that are continuous in nature, the whole process rather the response to the threat becomes institutionalized.⁵⁵ Hence, the whole process of securitization becomes a permanent feature of the society's political and social routines.⁵⁶ For protracted ethnic conflicts, institutionalized securitization consists of steps where each steps is part of the securitization process, i.e. the birth of securitization process, the unchallenged period and then the final stage of actual institutionalization.⁵⁷ The birth of securitization process starts with a pivotal event that can be an armed conflict or any event that creates sense of unease among the actor and the audience.⁵⁸ The pivotal event lays the foundation for the future securitization

⁵³ Constantinos Adamides, "Institutionalized, Horizontal and Bottom-up Securitization in Ethnic Conflict Environments: The Case of Cyprus" (University of Birmingham, 2012).

⁵⁴ Neal Andrew W., "Normalization and Legislative Exceptionalism: Counterterrorist Lawmaking and the Changing Times of Security Emergencies," *International Political Sociology* 6, no. 3 (September 10, 2012): 260–76.

⁵⁵ Adamides, "Institutionalized, Horizontal and Bottom-up Securitization in Ethnic Conflict Environments," 5.

⁵⁶ *Ibid.*, 7.

⁵⁷ *Ibid.*, 8.

⁵⁸ *Ibid.*, 151.

therefore creating a ‘path dependency’ as potential future threats are linked to past threats.⁵⁹ The first stage of birth is followed by the unchallenged period where “perceived threats are routinely securitized on an actor and audience level and frequently remain uncontested by most elite and the public.”⁶⁰ As argued by Adamides, at this stage “there is a consensus among elite and audience on what constitutes a security threat” and they are unwilling to challenge the threat perceptions.⁶¹ He also argues that unchallenged period is characterized by the elimination of negotiation between the actor and the audience, hence an automatic acceptance of the audience is guaranteed.⁶² However, it is in the third stage when institutionalization fully take place and starts when the securitizing actor engages to routinely perpetuate the existing securitized environment.⁶³ Since the audience is already convinced about the presence of threat, once securitization is institutionalized, the actor’s main task is not to convince the audience about the threat but to convince them that he is the most suitable entity to handle the threat.⁶⁴ Adamides further argues that this unquestionable acceptance of securitization by the audience leads eventually to uninterrupted routines where actor loses control of the process even if the actor wants to interrupt in the process.⁶⁵ This he terms as ‘involuntary’ securitization.⁶⁶

Adamides provides useful insight on how the process of securitization takes place in case of protracted ethnic conflicts. His evaluation of threats that can be continuous in nature informs on how securitization process itself becomes institutionalized. While analyzing the process of securitization, he assumes or looks into that process that has the potential to turn into institutionalized securitization. Hence, the assumption is that the process will eventually

⁵⁹ Ibid., 153.

⁶⁰ Ibid., 8.

⁶¹ Ibid., 64.

⁶² Ibid., 65.

⁶³ Ibid., 66.

⁶⁴ Ibid.

⁶⁵ Ibid., 68.

⁶⁶ Ibid.

become institutionalized. Although he analyzes the process of securitization but assumption is similar to that of the Copenhagen School and Roe that the process will eventually result in institutionalized securitization. Moreover, role of the audience is passive at each stage of the securitization process. In the wake of an event, the audience agrees with an obvious threat the nation is faced with; during the unchallenged period, audience agrees with the securitizing moves of the actor; and in the last stage, the unquestioned acceptance of audience completes the process into institutionalized securitization.

Andrew Neal analyzes the counterterrorism lawmaking as a response to a security issue. By analyzing the British counterterrorism legislation at three different time periods, i.e. during a perceived emergency, when the impact of emergency fades away and when there is no emergency, he explains what happens with the legislation (means established to deal with an emergency) over time. He writes that when an emergency is handled through the law then “legislative exceptionalism (making new laws under the auspices of emergency)” becomes normalized over time “as the specter of emergency fades.”⁶⁷ As Neal focuses on the legislative dynamics of the security politics and how it changes in the aftermath of a perceived emergency, the role of Parliament (audience) has been important in analyzing the policies over time. By evaluating legislative safeguards in the form of sunset clauses and annual reviews and the role of Parliament in the negotiation for further renewal, he takes on the temporality of security politics. He argues that in the wake of a perceived emergency (e.g. terrorist attack), lawmaking is usually rushed because the public demands it.⁶⁸ Due to rushed decision to adopt a policy, the critical evaluation of the measures and its impact in the long run is usually ignored by the Parliament that trusts the executive’s abilities in such emergency, accepts its assessment of the threat and agrees with the measures it proposes to handle the emergency.⁶⁹ Although the threat

⁶⁷ Neal Andrew W., “Normalization and Legislative Exceptionalism,” 261.

⁶⁸ Ibid., 265.

⁶⁹ Ibid., 266.

as well as means are intersubjectively established between the actor and the audience, they are established in haste as emergency demands quick response. Provisions such as sunset clauses or annual reviews are introduced for post-legislative safeguards that ensure scrutiny and limits the powers granted to deal with an emergency.⁷⁰

On the other hand, when the impact of an emergency dissolves, then the actor's arguments about emergency and longer-term implications of the measures adopted in the wake of that emergency are questioned by the Parliament.⁷¹ In the absence of any threat, the government uses arguments of hypothetical future threats that do not carry enough weight to gain the support of the Parliament.⁷² While focusing only on the lawmaking as exceptional measures, Neal argues that:

“lawmaking is cumulative, with each law always in a relationship to others, adding to them, amending them, replacing them, or, in the case of security laws, often escalating their provisions beyond what was regarded as “exceptional” the last time around.”⁷³

In the absence of any emergency, the legislative process takes considerable time and the actor and the Parliament carries out extensive negotiations on the possible measures.⁷⁴ In such circumstances, the actor finds it difficult to convince audience regarding the urgency of the situation that demands exceptional measures.⁷⁵ Neal claims that the “arguments about threat and necessity . . . [become] less credible and less persuasive than they would have been in the wake of an attack.”⁷⁶ Hence, the intersubjective establishment of threat among the actor and the audience ceases to exist that ultimately embolden the audience to question the need for exceptional measures. Similarly, at times when there is no perceived emergency, then the

⁷⁰ Ibid.

⁷¹ Ibid., 268.

⁷² Ibid., 273

⁷³ Ibid., 262.

⁷⁴ Ibid., 268.

⁷⁵ Ibid.

⁷⁶ Ibid., 269.

legislature adopted becomes normalized.⁷⁷ Two kinds of normalization can happen in legislature security politics; first, when the exceptional measures become normal with the passage of time by continuous renewal, and second, when the new laws are made through long consultative process to ensure continuity of ‘normal’ circumstances, that is to say to make sure that the temporary situation becomes permanent.⁷⁸ Although Neal analyzes the security framing and legislative exceptionalism over time, his analysis provides an explanation for the cases when the sense of emergency is reduced or does not exist anymore. This means that his evaluation of intersubjectivity among the actor and the audience is limited to the cases where an emergency happens and then it fades away or ceases to be an ‘emergency’. The actor tries to regain the support for exceptional measures in terms of hypothetical future threats; however, the legislative effect fades as well when the memory of emergency fades.⁷⁹

While Adamides provides insight into how securitization process unfolds in protracted ethnic conflicts, Neal focus of explanation is legislative dynamics in changing times of perceived emergency. Adamides uses the concept of ‘routinized’ securitization where the perceived threats are routinely securitized that inevitably become part of the society’s political and social routines.⁸⁰ Neal, on the other hand, talks about the concept of ‘normalized’ legislation when the response initially developed against threat losses its exceptionality and becomes ‘normalized’ over time.⁸¹

By analyzing the arguments of Copenhagen School, Roe and Adamides, it can be claimed that the assumption is that securitization of recurrent or continuous threat eventually becomes institutionalized. The Copenhagen School and Roe do not elaborate on the process of

⁷⁷ Ibid., 273.

⁷⁸ Ibid., 269, 273.

⁷⁹ Ibid., 273.

⁸⁰ Adamides, “Institutionalized, Horizontal and Bottom-up Securitization in Ethnic Conflict Environments.”

⁸¹ Neal Andrew W., “Normalization and Legislative Exceptionalism.”

securitization in case of recurrent threat. While the Copenhagen School assumes that response to recurrent threats are institutionalized by repetitive arguments while not elaborating on how the repetitive arguments are intersubjectively established between the actor and the audience, Roe argues that the role of the audience is excluded in institutionalized securitization as the audience acceptance is not required for military attack or bureaucratic measures. Roe also adds that if at one point of time, securitization has been successfully established between the actor and the audience, then further approval of the audience is not sought for because the intersubjective establishment of the threat as well as means to deal the threat has already been established. The audience accepts something as security issue either because the threat is obvious enough to be securitized or it accepts it because the previous successful securitization has enough legitimacy to keep considering the issue as an existential threat that needs to be dealt through exceptional measures. Unlike the Copenhagen School and Roe, Adamides does provide an explanation of the process. He argues that in case of recurrent threats, the whole process than the response to threat becomes institutionalized. However, his arguments also assume or take on to explain the process of securitization where institutionalization is assumed to be the final point of the process. Securitization of recurrent threat has not been explained solely for looking into the process, i.e. without looking at the outcome (institutionalized securitization).

Neal's approach is different than of the scholars mentioned above. He does not look at the securitization of recurrent threat, instead, he analyzes the operation of legislative security politics and the actor-audience relationship when the threat stops being a threat to the audience. Neal takes on the case of temporality and how legislative security politics operates at different times of perceived emergencies; however, his concept of temporality is applied on the cases where the threat ceases to be an existential threat any longer. His work analyzes intersubjectivity at two different situations in securitization process rather analyzing the

continuity of process provided the situation does not change. Hence, the intersubjective establishment of threat is contested between the actor and the audience over time which proves to be a hurdle for renewal of the exceptional measures taken in the first place when the impact of emergency was anew.

We see two lines of arguments in the existing literature; either the response to a recurrent threat becomes institutionalized (as argued by the Copenhagen School, Roe and Adamides), or the legislative security politics become normalized over time when the impact of emergency fades away (as argued by Neal). While the former analyzes the response as institutionalized to the cases where the threat is of endured nature, the latter analyzes the ways the legislature operates when the nature of threat becomes diluted. In any case, an outcome is assumed for the process whether it is in the form of institutionalized or a normalized response. With the outcome in mind, the securitization process itself has been overlooked in the scholarships. There is a missing element on how intersubjective relationship between the actor and the audience unfolds over time in case of continuous threats. It does not necessarily mean that response to a recurrent threat becomes institutionalized as argued by the Copenhagen School and Roe, nor does it necessarily mean that the whole process of securitization becomes institutionalized as argued by Adamides. Rather, the intersubjective relationship among the actor and the audience may continue, although it can change form. At some time during the process, there may be multiple possibilities where either audience ceases to accept the security framing of threat, it may accept the security framing but may not except the need for extraordinary means to deal with the threat or it may accept the threat as well as the requirement of extraordinary means to deal with the threat but may contest the measures that are proposed by the actor.

In case of securitization of continuous threat, it is important to understand the intersubjective relationship between actor and the audience to see how the process is unfolding

without assuming the outcome. The thesis aims to analyze the intersubjective establishment of not only threat but also means to deal with the threat over time. It argues that intersubjective relationship between the actor and the audience may change over time in the securitization of continuous threat; however, as long as the threat, as well as the means to deal with the threat, are intersubjectively established between the actor and the audience, one can trace the process of securitization.

The case of securitization of terrorism in Pakistan a useful explanation of how securitization unfolds in case of continuous threat. Before delving into the case, it is important to have a historical analysis of the terrorism in the country and how the country has tried to deal with the issue in the past. The following chapter will highlight the historical narrative, describing how terrorism evolved in the country, what have been the main terrorist groups in the country and what have been the dynamics of each group's activities.

CHAPTER 2: TERRORISM IN PAKISTAN

Pakistan has been facing a wave of terrorism since its decision to join the United States in War on Terror in 2001. The roots of this menace can be traced back to the Soviet invasion of Afghanistan in 1979 that provided the then-ruling military ruler and the President of Pakistan, General Muhammad Zia-ul-Haq, an opportunity to back Afghan resistance to pursue strategic depth in Afghanistan to counter Indian influence in the region.⁸² The Afghan conflict provided the United States a new front in the global struggle against the Soviet Union, whereas, it provided Pakistan to achieve strategic depth in Afghanistan against India and a useful strategy to direct proxy war against India in Kashmir.⁸³ Zia-ul-Haq had already started the process of Islamization in the country following his military coup in 1977 to define the country along religious lines.⁸⁴ He introduced practices like flogging, banning of drinking and gambling, state's enforcement of Zakat (religious obligatory charity), introduction of Islamic laws for theft and adultery, and closure of eating places from sunrise to sunset during the month of fasting.⁸⁵ He found Islamization as the solution to Pakistan's long search for stability.

To destabilize the Soviet Union following its invasion of Afghanistan, the then U.S. President Jimmy Carter gave his sanction to fund and support Islamic 'fundamentalism' in Afghanistan to fight Soviet-backed Marxist regime in the country.⁸⁶ At the same time in 1979, Iranian Revolution prompted competition between Saudi Arabia and Iran for Islamic leadership.⁸⁷ Zia-ul-Haq positioned Pakistan's state with Sunni Islam, i.e. with Saudi Arabia whereas the Shiite minority of the country were influenced by the Iranian Revolution.⁸⁸ At the

⁸² Ayesha Jalal, *Partisans of Allah: Jihad in South Asia* (United States of America: Harvard University Press, 2010), 274.

⁸³ Ibid.

⁸⁴ Husain Haqqani, ed., "From Islamic Republic to Islamic State," in *Pakistan, Between Mosque and Military* (Carnegie Endowment for International Peace, 2005), 131.

⁸⁵ Ibid.

⁸⁶ Ayesha Jalal, *Partisans of Allah: Jihad in South Asia*, 274.

⁸⁷ Ian Talbot, *Pakistan*, 144.

⁸⁸ Haqqani, "From Islamic Republic to Islamic State."

same time, fighting ‘infidel’ Soviet, who had seized the land of Muslims, became the motive of followers of religious parties in Pakistan that received official backing from Zia-ul-Haq government. Zia-ul-Haq became the U.S frontline ally in the fight against Soviet.⁸⁹ With the funding of the United States and sponsorship of Deobandi ideology by Saudi Arabia, Pakistan became a hub of training mujahideen for jihad against the Soviets in Afghanistan.⁹⁰ The religious parties saw it as an opportunity to increase their influence in the country’s politics and the number of madrassas (Islamic theology schools) increased as more funds from the United States poured in Pakistan.⁹¹ Over 7000 madrassas by 1986 trained thousands of students to fight ‘Soviet in Afghanistan and attain martyrdom.’⁹² Osama bin Laden was among them who recruited and trained men for jihadist mission against the Soviets.⁹³ Al Qaeda was established in 1988 in the camps by bin Laden in Afghanistan that gave jihadists a shared mission.⁹⁴

War in Afghanistan introduced unforeseen challenges to Pakistan. Over three million Afghan refugees fled to Pakistan in wake of the war in the 1980s.⁹⁵ Sectarian violence also erupted in the country as Deobandi dominance was resented by the Shiite minority. Afghan mujahideen were financed weapons procurement through Pakistan and their availability in abundance, which were bought from U.S. funds, introduced ‘Kalashnikov culture’ in Pakistan. After the Soviet war ended, many foreigner mujahideen remained in the region who were directed to Kashmir to fight the similar war against India.⁹⁶ The years’ long support of militants with thousands of madrassas in Pakistan that trained thousands of young people for jihad

⁸⁹ Ian Talbot, *Pakistan*.

⁹⁰ Ayesha Jalal, *Partisans of Allah: Jihad in South Asia*, 274.

⁹¹ *Ibid.*, 277.

⁹² *Ibid.*

⁹³ William McCants, “Al Qaeda’s Challenge: The Jihadists’ War With Islamist Democrats,” *Foreign Affairs* 90, no. 5 (2011): 23.

⁹⁴ *Ibid.*

⁹⁵ Ayesha Jalal, *Partisans of Allah: Jihad in South Asia*, 275.

⁹⁶ *Ibid.*, 280.

devastated the social landscape of the country.⁹⁷ Religious fundamentalism and sectarian violence were fueled by the increased role of religious leaders in the civilian administrative positions.⁹⁸

When the Soviet Union withdrew from Afghanistan in 1989, there were hopes for peace in the country. However, Afghanistan, which had never been a nation-state and had been land of various tribes divided along ethnic and political lines, witnessed infighting among the factions.⁹⁹ Anarchy in the country raised concerns among different ethnic groups, neither of whom wanted to hand over the power to another ethnic group.¹⁰⁰ In 1994, a movement led by the members drawn from madrassas in Pakistan, emerged and its leader, Mullah Umar, presented himself as the leader who will wipe out the violence from Afghanistan.¹⁰¹ He named the group Taliban who controlled Afghanistan till 2001 and implemented fundamentalist version of sharia law in the country.¹⁰² Osama bin Laden and Al Qaeda supported the Taliban regime in Afghanistan with money and in return operated from the country to breed jihadists.¹⁰³

After 9/11, Pakistan was pressurized by the United States to abandon its support of Taliban in Afghanistan and to support the United States in the War on Terror.¹⁰⁴ Mujahideen, who were once friends and strategic allies of both the United States and Pakistan, became enemies after 9/11.¹⁰⁵ Pakistan's government U-turn against Taliban and its double game of differentiating 'good Taliban' as friends and 'bad Taliban' as enemies brought nothing but

⁹⁷ Ibid., 281.

⁹⁸ Haqqani, "From Islamic Republic to Islamic State," 152.

⁹⁹ Seth G. Jones and C. Christine Fair, *Counterinsurgency in Pakistan* (Santa Monica, Calif.: RAND Corporation, 2010), 27.

¹⁰⁰ Ibid.

¹⁰¹ Ibid., 28.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Muhammad Khalil Khan and Lu Wei, "When Friends Turned into Enemies: The Role of the National State vs. Tehrik-i-Taliban Pakistan (TTP) in the War against Terrorism in Pakistan," *Korean Journal of Defense Analysis* 28, no. 4 (WIN 2016): 597.

¹⁰⁵ Ibid., 598.

destruction to the country.¹⁰⁶ ‘Good Taliban’ were those who did not engage in conducting attacks in the territory of Pakistan and focused their attention on Afghanistan.¹⁰⁷ The distinction was developed over time when deals with certain militant groups proved durable for Pakistan at least till 2007 or 2008.¹⁰⁸

The Islamic militancy in Pakistan had not been of homogeneous nature and there had been salient differences among different Islamic militant groups in the country. The most important militant group had been Al-Qaeda. *Tehrik-e-Taliban Pakistan (TTP)*, that rose to prominence in 2007, is a loose network of tribal-based Pakistani militants whose goals are local, i.e. to oust Pakistan’s military from the Federally Administered Tribal Areas (FATA).¹⁰⁹ Then there are militant groups in the country that focus on the issue of Kashmir and direct their activities against India.¹¹⁰ The prominent such groups are *Hizb-ul-Mujahideen*, *Jaish-e-Mohammad*, and *Lashkar-e-Taiba* that have been active since the 1990s.¹¹¹ Moreover, there are anti-Shiite militant groups in the country such as *Lashkar-e-Jhangvi* and *Sipah-e-Sahaba Pakistan* that target the domestic Shiite population with an aim to establish a Sunni state in the country.¹¹² Many such organizations are banned by the government of Pakistan; however, they continued their operation under different names.

Terrorism has been used to express different narratives in Pakistan in the last fifteen years. It has been used as an expression of religious construction in response to US-led drone attacks on religious seminaries in tribal areas of Pakistan and uprising against the state of

¹⁰⁶ Ibid.

¹⁰⁷ Jones and Fair, *Counterinsurgency in Pakistan*, 122.

¹⁰⁸ Ibid.

¹⁰⁹ Jacob N. Shapiro and C. Christine Fair, “Understanding Support for Islamist Militancy in Pakistan,” *International Security* 34, no. 3 (2009): 86.

¹¹⁰ Ibid., 87.

¹¹¹ Ibid.

¹¹² Ibid.

Pakistan for backing U.S. policies of counter-terrorism.¹¹³ It has been used as a protest and rallying symbol by conducting attacks on the people as well as the economic and physical infrastructure in the country.¹¹⁴ Terrorism has been used as an instrument of political policy, as violent criminal behavior, as a warfare implement, as a propaganda tool, as vengeance, and as state functionalism.¹¹⁵ These expressions of terrorism has been used to assassinate political leaders, famous public figures, and secular-minded scholars.¹¹⁶ It has been used as a strategy to tarnish the image of Pakistan internationally by conducting attacks that gained international highlight, such as attacks on Islamabad's Marriott Hotel in 2008 where international guests were staying and attack on Sri Lankan Cricket team in Lahore in 2009.¹¹⁷

The distinction of good and bad Taliban kept the political elite divided on adopting a comprehensive anti-terrorism strategy. Pakistan's counter-terrorism strategy had been selective that hindered progress in tackling the issue of terrorism in the country. The strategy had been regulated towards containment of terrorist attacks and violence rather than the elimination of terrorism.¹¹⁸ Pakistan had been reluctant in taking up comprehensive measures against terrorists. Divided political opinion over which Taliban to target and which to not, poor functioning of anti-terrorism courts, deficiency in the judicial system to punish terrorists, and qualitative difference in response to terrorism threat in tribal regions and urban areas had been major reasons of lack of comprehensive counter-terrorism strategy.¹¹⁹

¹¹³ Muhammad Feyyaz, "Conceptualising Terrorism Trend Patterns in Pakistan - an Empirical Perspective," *Perspectives on Terrorism* 7, no. 1 (2013): 75.

¹¹⁴ *Ibid.*, 80.

¹¹⁵ *Ibid.*, 96.

¹¹⁶ *Ibid.*, 82-83.

¹¹⁷ *Ibid.*, 95.

¹¹⁸ Abdul Basit, "Challenges to the Evolution of a National Counter-Terrorism Policy in Pakistan," *Counter Terrorist Trends and Analyses* 4, no. 9 (2012): 14.

¹¹⁹ *Ibid.*, 15-17.

After 9/11, Pakistan adopted military as well as non-military strategies to counter terrorism. It has used military campaigns against terrorists in some regions of the country; some of the important operations include *Operation Enduring Freedom* conducted in North Waziristan (2001-2002), *Operation Al Mizan* (2002-2006), *Operation Zalzal* (2008) and *Operation Rah-e-Nijat* (2009-2010) conducted in South Waziristan, and *Operation Rah-e-Haq* (2007-2009) in Swat.¹²⁰ Such operations did not aim to wipe out terrorists rather contain the violence. Many of such operations ended up in peace deals with militants in which militants promised not to harbor foreign fighters or carry out attacks in territory of Pakistan.¹²¹ However, such deals were usually broken. The latest attempt for a peace deal between the government of Pakistan and the militants (*TTP*) took place in March 2014 that aimed to end terrorism in the country.¹²² However, the peace talks were ended following the attack on Karachi airport on 8 June 2014 by *TTP* that killed 28 people.¹²³ Despite political opposition,¹²⁴ an extensive military operation, *Operation Zarb-e-Azb* was launched against the militants on 15 June 2014 that aimed to target terrorists without any discrimination.¹²⁵ The operation was planned in March 2014; however, it was postponed or was set not to take place in case peace talks between the government of Pakistan and militants succeed. The Prime Minister of Pakistan delivered a speech in the National Assembly the following day of the launch of operation in which he said

¹²⁰ Seth G. Jones and C. Christine Fair, *Counterinsurgency in Pakistan* (Santa Monica, Calif.: RAND Corporation, 2010), 34-35.

¹²¹ *Ibid.*, 34.

¹²² AP |, "First Round of Direct Talks between Govt, TTP Concludes," DAWN.COM, March 26, 2014.

¹²³ "TTP Claims Attack on Karachi Airport," DAWN.COM, June 8, 2014.

¹²⁴ "Imran Fears North Waziristan Operation Will Be 'suicidal'," DAWN.COM, June 12, 2014.

¹²⁵ Zahir Shah Sherazi, "Zarb-e-Azb Operation: 120 Suspected Militants Killed in N Waziristan," DAWN.COM, June 15, 2014.

that the decision to start a comprehensive operation was taken because peace efforts were sabotaged by terrorists.¹²⁶

Counter-terrorism strategies remained either selective or they failed to gain support of whole political leadership in Pakistan. The following chapter will analyze the securitization of terrorism in Pakistan. It will provide an overview of when and why terrorism was declared existential threat to the sovereignty of Pakistan that needed exceptional measures to tackle the issue. The intersubjective establishment of threat and means to deal with the threat will be analyzed in the chapter.

¹²⁶ “PM Speech at National Assembly on 16th June, 2014,” Prime Minister’s Office: Islamic Republic of Pakistan, June 16, 2014.

CHAPTER 3: SECURITIZATION OF CONTINUOUS THREAT: TERRORISM

DECLARED AS EXISTENTIAL THREAT AND NAP ADOPTED AS COUNTER-

TERRORISM STRATEGY

Pakistan's political leadership remained divided over the issue of 'good and bad Taliban' and many of them were not happy with the operation launched against the militants. The disagreement was expressed not only by the leaders of religious political parties but also by the leaders of liberal political parties. However, this division ceases to exist after terrorists associated with *TTP* carried out a terrorist attack on *Army Public School (APS)* in Peshawar, Pakistan on 16 December 2014 in which 141 people including 131 schoolchildren were killed.¹²⁷ An indiscriminate attack on schoolchildren by terrorists sent the message that terrorists can go to any limit in achieving their aims. This united the political leadership of Pakistan on the stance that there is only one kind of Taliban and that is 'bad Taliban'.

Following the attack, an *All Party Conference (APC)* was called on by the Prime Minister of Pakistan, Nawaz Sharif, with political leadership on 17 December 2014 to discuss a future action plan to deal with terrorism in the country.¹²⁸ A unanimous decision of all political parties to fight indiscriminately against terrorism depicts that previous drift among the political leadership regarding 'good' and 'bad' Taliban was removed and all reached a consensus to deal all terrorists equally. Sharif declared 'critical situation' in the country that needed a solid 'plan of action' to wipe off the threat once for all.¹²⁹ On this occasion, opposition leaders, who were previously opposed to going hard on 'good Taliban', provided their support to the federal government to deal with the issue that is "serious and needed urgent attention".¹³⁰

¹²⁷ Khan, "Taliban Massacre 131 Schoolchildren."

¹²⁸ "Political Leadership Vows Indiscriminate Action Against Terrorists," Prime Minister's Office: Islamic Republic of Pakistan, December 17, 2014.

¹²⁹ Ibid.

¹³⁰ Ibid.

After having meetings with military leadership, Sharif made an address to the nation on 25 December 2014 via public news channel in which he put an agenda for future action plan against terrorism in the country.¹³¹ While declaring the incident as the saddest in the history of Pakistan, he said that Pakistan had changed after the APS incident as the situation had become critical for which it was necessary to take serious action.¹³² He presented a twenty-points agenda¹³³ as future action plan against terrorism of which establishment of military courts was the most important component.¹³⁴ Military courts were to deal with civilian terrorist cases so that, unlike past where terrorists were able to escape the punishment due to the faulty judicial system, terrorists would be punished as soon as possible.¹³⁵ He promised to avenge the lives of innocent children and to leave no stone unturned to fight ‘evil’ terrorists who were posing

¹³¹ “Prime Minister’s Speeches: Prime Minister’s Speech (Text) to the Nation on 25-12-2014 (Urdu),” Prime Minister’s Office: Islamic Republic of Pakistan, December 25, 2014.

¹³² Ibid.

¹³³ 1. revival of death penalty to terrorists,
 2. establishment of military courts for two years for speedy trial of terrorists,
 3. prohibition of establishing any armed militia,
 4. revival of National Counter Terrorism Authority,
 5. crackdown on hate speech,
 6. banning of financial sources to terrorists,
 7. prohibition of banned terrorist groups to operate under different name,
 8. establishment of special anti-terrorism force,
 9. protection of minorities,
 10. reformation of religious schools,
 11. prohibition of using print and electronic media for promoting terror,
 12. developmental reforms in Federally Administrated Tribal Areas (FATA) for rehabilitation of IDPs,
 13. destruction of communication system of terrorists’ network,
 14. prohibition of use of social media for hate speech,
 15. destruction of terrorists’ network in Punjab,
 16. conclusion of operation in Karachi,
 17. provision of complete authority to Balochistan government for political interests,
 18. prosecution of elements promoting sectarian violence,
 19. formation of comprehensive policy for Afghan refugees in the country,
 20. provision of access to terrorists’ network to provincial intelligence agencies for which constitutional amendments need to be made that requires political consensus.

¹³⁴ Ibid.

¹³⁵ Ibid.

danger to the existence of Pakistan.¹³⁶ The APS attack brought political leadership (opposition, religious and government alike) on one platform that the threat had reached the limit where it required a comprehensive strategy to be dealt with.

Following the speech of Sharif and presentation of amendment bill to the Parliament, Members of National Assembly (MNAs) and Senators held debates on the forum of National Assembly and Senate respectively regarding terrorism threat and new counter-terrorism strategy. Once the threat was declared as an existential threat that required exceptional means to deal with in the form of NAP, the next task for the government was to convince the Parliament regarding exceptional means. Members of National Assembly (MNAs) who had been part of the ruling party (*Pakistan Muslim League-Nawaz [PMLN]*), used the justification of exceptional circumstances to gain the support of the political opposition in the Parliament. An MNA, Rajab Ali Baloch, said that before criticizing military courts, one should understand that Pakistan was not going through normal circumstances.¹³⁷ He further added that Pakistan's fight was with an enemy who could go to any limit to achieve its evil aims.¹³⁸ Another MNA, Tahir Iqbal, said that military courts were to be made for speedy trials of terrorists, hence any civilian should not be afraid of their establishment.¹³⁹ He argued that it was the need of the hour to give a message to terrorists that political leadership of Pakistan had planned to take comprehensive action against terrorists and there would be no leniency towards punishment.¹⁴⁰ Similarly, another MNA of ruling party, Khaleel George, argued that next generation of

¹³⁶ Ibid.

¹³⁷ "National Assembly Debates, 1 Jan 2015" (National Assembly of Pakistan, January 1, 2015), 31.

¹³⁸ Ibid.

¹³⁹ Ibid., 41.

¹⁴⁰ Ibid., 43.

Pakistan would bear fruits of the measures that government had planned to take against terrorists.¹⁴¹

Pakistan's Minister of Interior, Chaudhry Nisar Ali Khan, who is responsible for looking after law and order situation in the country, held a press conference on 3 January 2015 to explain the role of military courts. He mentioned that the country had been in a warlike situation and that situation demanded that such measures to be adopted that had not been adopted earlier.¹⁴² He mentioned that after 9/11 incident, the United States established military tribunals with the approval of the Supreme Court of the United States, hence in such situations, it was not unusual to adopt such measures.¹⁴³ Khan, in his speech in the National Assembly, said that although it was unusual for a democratically elected Parliament to cast vote for an amendment in the constitution for the establishment of military courts but it had been done because the country was facing an extraordinary situation.¹⁴⁴ He said, "these are not normal circumstances, these are unusual circumstances and for that we need military courts".¹⁴⁵ While adding on to the need to establish military courts, he also briefed that those courts were to be established for only two years and only terrorism-related incidents would be trialed in the courts.¹⁴⁶ Similar arguments were presented in front of the Senate as well when the Prime Minister made speech to address and convince the members of Senate to pass the bill. He considered it a propitious day for Pakistan as the whole nation had decided to exterminate the

¹⁴¹ "National Assembly Debates, 2 Jan 2015" (National Assembly of Pakistan, January 2, 2015), 44.

¹⁴² "Military Courts Will Only Hear Terror-Related Cases: Chaudhry Nisar Ali Khan Press Conference - 3rd January 2015," Awaz.tv, January 3, 2015.

¹⁴³ Ibid.

¹⁴⁴ "National Assembly Debates, 3 Jan 2015" (National Assembly of Pakistan, January 3, 2015).

¹⁴⁵ Ibid., 11.

¹⁴⁶ Ibid., 13.

evilness of terrorism from the country.¹⁴⁷ He added that through such measures Pakistan would overcome terrorism in the country once and for all.¹⁴⁸ He said that the political leadership had realized that the time had come when no further space could be provided to any sort of violence in the country and for that whole political leadership needed to be congratulated.¹⁴⁹

Although MNAs and Senators did not oppose the establishment of military courts; however, they raised some of the points in the respective sessions. Farooq Sattar, MNA and leader of the political party, *Muttahida Quami Movement (MQM)*, questioned the extraordinary situation as stipulated by the government.¹⁵⁰ He said that the country was facing ‘extraordinary situation’ even when terrorists attacked previously.¹⁵¹ However, at the same time, he also acknowledged that by attacking APS terrorists crossed all limits.¹⁵² He also stressed the significance of sunset clause and termed it as “watchdog” that would help the government remind to achieve the said goals through military courts within two years.¹⁵³ Maulana Fazl-ur-Rehman, leader of a religious political party, *Jamiat Ulema-e Islam (JUI-F)*, said that during martial law politicians went through the toughest because of military courts; however after APS attack, circumstances had become extraordinary in nature, hence, the democratically elected politicians had to give consent on the establishment of courts.¹⁵⁴ He further added that when APC was called on by the Prime Minister, the draft of the constitutional amendment had already been prepared; however, “we trusted the government’s decision”.¹⁵⁵ Another leader of a political party *Pashtunkhwa Milli Awami Party*, Mahmood Khan Achakzai, called it a black

¹⁴⁷ Senate Secretariat, Islamabad, “The Senate of Pakistan Debates: Official Report - 6 January 2015,” Volume X, No.12 (Islamabad, Pakistan: The Senate of Pakistan, January 6, 2015), 11.

¹⁴⁸ *Ibid.*, 9.

¹⁴⁹ *Ibid.*, 11.

¹⁵⁰ “National Assembly Debates, 3 Jan 2015,” 29.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*, 30, 38.

¹⁵⁴ *Ibid.*, 41.

¹⁵⁵ *Ibid.*

day in the history of Pakistan.¹⁵⁶ Although he did not oppose establishment of military courts; however, he said that MNAs should acknowledge that they were supporting the government because there was no other option available in such circumstances and they should promise to each other that they would stand against any such measures in the future.¹⁵⁷

Similar sentiments were expressed by the Senators as well. Senator Afrasiab Khattak, representing *Awami National Party*, while supporting the measures, expressed grief that it took so many years and sacrifices of lives for political leadership to realize that a comprehensive strategy against terrorism needed to be adopted.¹⁵⁸ He added that although it was a tough decision for his party to support NAP as his party was a victim of martial law imposed by military dictators in the past; however, he and his party decided to vote in favor of military courts because the courts were being made through the constitutional amendment.¹⁵⁹ He said that the situation Pakistan had been facing is exceptional and every country in the world had taken such measures when it was faced with an existential threat.¹⁶⁰ Another senator, Syed Tahir Hussain Mashhadi, congratulated the ruling party of Pakistan on behalf of his party, *Muttahida Qaumi Movement (MQM)*.¹⁶¹ He said that “we have taken a bitter pill as Parliamentarians but we have done it in the national interest and the nation now looks upon this Government which is going to be the strongest government in the history of Pakistan.”¹⁶² Mir Hasil Khan Bizenjo, senator representing the ruling party *PML-N*, added that he was not happy in curtailing the rights of Parliament by passing the amendment but the government had no other option except to establish military courts.¹⁶³ Similar sentiments were expressed by

¹⁵⁶ Ibid., 51.

¹⁵⁷ Ibid., 55.

¹⁵⁸ Senate Secretariat, Islamabad, “The Senate of Pakistan Debates: Official Report - 6 January 2015,” 29.

¹⁵⁹ Ibid., 23.

¹⁶⁰ Ibid.

¹⁶¹ Ibid., 25.

¹⁶² Ibid.

¹⁶³ Ibid., 27.

another senator, Mushahid Hussain, of the ruling party who said that “in extraordinary circumstances you need to take extraordinary measures.”¹⁶⁴ He added that sunset clause had been made part of the constitution to remind that such measures are taken for only a short period of time.¹⁶⁵

By analyzing the post-attack scenario, we can see that terrorism Pakistan was declared as existential threat by the government of Pakistan after APS attack and the Parliament was asked to support the government to adopt NAP as counter-terrorism strategy. The Parliament did not contest the exceptional status of the threat as the threat had already established a sense of urgency due to its recurrent nature. The Parliament did raise some concerns on the measures proposed but it trusted the government’s abilities and decision to tackle the issue. Moreover, the need for a quick response against the existential threat and temporality of the extraordinary measures as provided by the sunset clause, reduced the possibility for a comprehensive and critical evaluation of the measures by the audience.

The Parliament of Pakistan passed the twenty-first constitutional amendment bill unopposed after all the present members of the National Assembly as well as the Senate voted in favor of the establishment of military courts.¹⁶⁶ The amendment became part of the constitution on 7 January 2015 after the presidential assent.¹⁶⁷ The military courts were to lapse on 6 January 2017 as a result of the sunset clause. The legal language of the amendment emphasizes that there was a need to amend the constitution “whereas extraordinary situation and circumstances exist which demand special measures for speedy trial of certain offenses

¹⁶⁴ Ibid., 30.

¹⁶⁵ Ibid.

¹⁶⁶ “Parliament Passes 21st Constitutional Amendment, Army Act Amendment,” DAWN.COM, January 6, 2015.

¹⁶⁷ Amir Wasim, “President Gives Assent to 21st Amendment,” DAWN.COM, January 8, 2015.

relating to terrorism”.¹⁶⁸ The bill declared nature of the threat as “grave and unprecedented to the territorial integrity of Pakistan” and whereas “the people of Pakistan have expressed their firm resolve through their chosen representatives in the all parties conferences held in aftermath of the ... [incident]”.¹⁶⁹

It was not the first time that the effort was made for the establishment of military courts. During the government of late Prime Minister, Zulfikar Ali Bhutto, the issue of military courts was raised when Bhutto set up military courts under the article 245 of the Constitution to deal with unrest in the country starting as a result of rigging allegations in the elections of 1977.¹⁷⁰ The article 245 of the Constitution of Pakistan declares one of the functions of armed forces of Pakistan to “act in aid of civil power when called upon to do so.”¹⁷¹ Similarly, Prime Minister Nawaz Sharif also established military courts under the article 245 in 1998 to handle law and order situation in the province of Sindh.¹⁷² Both times, the establishment of military courts were declared unconstitutional by the high courts of Lahore and Sindh in 1977 and the Supreme Court of Pakistan in 1998.¹⁷³ However, the military courts were given constitutional cover after the APS attack that did not raise legal criticism as it was raised earlier.

Securitization of terrorism in Pakistan started with APS attack that declared an emergency in the country. The case of Pakistan shows that terrorism had been a threat to the sovereignty of Pakistan since 2002; however, it was not perceived as an existential threat until terrorists attacked APS. In case of the continuous threat, although the sense of the seriousness of threat may have already been established among the actor and the audience, it requires an

¹⁶⁸ Islamic Republic of Pakistan, “Constitution (Twenty-First Amendment) Act, 2015,” Pub. L. No. Act No. 1 of 2015 (2015).

¹⁶⁹ Ibid.

¹⁷⁰ Waseem Ahmad Shah, “View from the Courtroom: Judiciary in Focus over Military Courts,” DAWN.COM, April 20, 2015.

¹⁷¹ Article 245(1) of The Constitution of the Islamic Republic of Pakistan.

¹⁷² Shah, “View from the Courtroom.”

¹⁷³ Ibid.

incident serious enough to bring actor and the audience on one page regarding existential nature of the threat. A consensus on the existential nature of threat can make grounds for exceptional measures. Political leadership in Pakistan remained divided on the measures to be adopted against Taliban before APS attack because of the differentiation of ‘good and bad Taliban’. Once this division ended as the threat entered the ‘stage’ of existential threat, the audience was convinced of the exceptional means to deal with the threat.

In case of the continuous threat, the intersubjective relationship between the actor and the audience is developed about the existential nature of the threat as well as exceptional measures to deal with the threat. An already existing threat is declared as an existential threat in wake of an incident by the actor that then seek the support of the audience to adopt exceptional measures. The audience accepted the existentiality of threat as the seriousness of threat had already been rooted in the minds of audience due to its continuous nature. With the incident of APS, the threat was established as existential that required measures not adopted earlier. The government of Pakistan proposed establishment of military courts as exceptional measures to deal with the existential threat – the measure proposed was considered comprehensive to out terrorism once and for all.

Although Neal is right in pointing out that in wake of a perceived emergency, lawmaking as an exceptional measure is usually rushed; however, in case of continuous threat the perceived emergency may not be the first instance of state’s encounter with the threat. The difference is that once the threat is declared existential in wake of a ‘serious’ incidence, the exceptional measures are rushed to which the audience also accedes. The Parliament accepts the threat as existential and trusts the executive with the measures it proposes. Since the threat’s status is changed to the *existential* threat, the actor’s role is to convince the audience about the comprehensiveness of the measures it proposes. Hence, a situation of emergency induces an urge among the audience to wipe out the threat that had been recurrent and allows the executive

to handle the situation as he wishes. In case of securitization of continuous threat, intersubjective establishment of the level of threat as well as means to deal with the threat are achieved simultaneously.¹⁷⁴ Any distinction between two stages blurred because the nature of the continuous threat has already established enough impact that once the continuous threat is declared existential, it implies that it must be dealt exceptionally. A continuous threat may be dealt in a normal way until it reaches a point where it is declared as a security issue that needs to be dealt with exceptional means.

The following chapter will analyze how the securitization process unfolded after the military courts were established in Pakistan. It will analyze the intersubjective relationship among the actor and the audience for the renewal of military courts. The chapter will explore into the contestation that happened between the government of Pakistan and the Parliamentary members regarding the continuation of NAP that was adopted in 2015.

¹⁷⁴ Roe talks about securitization as a two-stage process i.e. ‘stage of identification’ where intersubjective establishment of threat is achieved and ‘stage of mobilization’ where intersubjectivity establishment of means to deal with the threat is achieved, in his article “Actor, Audience(s) and Emergency Measure.”

CHAPTER 4: SECURITIZATION OF CONTINUOUS EXISTENTIAL THREAT OVER TIME: TERRORISM REMAINED AN EXISTENTIAL THREAT AND NAP READOPTED AS COUNTER-TERRORISM STRATEGY

Despite the adoption of NAP as counter-terrorism strategy, terrorists' incidents did not stop in Pakistan. Civilian casualties did drop from 1781 in 2014 to 940 and 612 in 2015 and 2016 respectively;¹⁷⁵ however, attacks similar to that of APS kept happening in Pakistan. During the two year timeframe when military courts were operative, some major terrorists' incidents like bomb blast in a Shiite mosque in January 2015 killed 60 people,¹⁷⁶ bomb blast in a church in Lahore in March 2015 killed 15 people,¹⁷⁷ an attack on a bus by terrorists in Karachi in May 2015 left 43 people dead,¹⁷⁸ an attack similar to that of APS on Bacha Khan University in January 2016 killed 21 students,¹⁷⁹ and twin blasts in the police training college in Quetta killed 61 people.¹⁸⁰ Such incidents raised questions regarding the effectiveness of NAP in curbing terrorism in the country.

NAP had been criticized frequently by the political opposition with respect to different reasons. There had been concerns regarding government's failure to implement NAP in letter and spirit. Such concerns had been expressed repeatedly soon after the adoption of NAP. The opposition in Senate blamed the government for not ensuring transparency and accountability

¹⁷⁵ "Fatalities in Terrorist Violence in Pakistan 2000-2018," South Asian Terrorism Portal (SATP), May 6, 2018.

¹⁷⁶ Ubaidullah Shaikh, "At Least 60 Killed in Blast at Shikarpur Imambargah," DAWN.COM, January 30, 2015.

¹⁷⁷ "15 Killed in Taliban Attack on Lahore Churches," DAWN.COM, March 15, 2015.

¹⁷⁸ Imtiaz Ali, "43 Killed in Attack on Bus Carrying Ismailis in Karachi," DAWN.COM, May 13, 2015.

¹⁷⁹ Ali Akbar, "APS Mastermind Claims Bacha Khan University Attack, 21 Killed," DAWN.COM, January 20, 2016.

¹⁸⁰ "61 Killed in Twin Suicide Attacks as Terrorists Storm Police Training College in Quetta - Pakistan" - DAWN.COM.

in the trials conducted by the military courts.¹⁸¹ The Senate demanded Interior Minister to brief the House regarding reasons for going slow on the implementation of NAP and asked for the proper monitoring of the plan in a Senate debate held in May 2015.¹⁸² Similar criticisms were raised later in the year when Shireen Mazari of PTI criticized the Interior Minister for failing to fully implement NAP.¹⁸³ She criticized that other key points of NAP such as the implementation of counter-narrative in the form of changes in syllabi in schools were not worked on by the government.¹⁸⁴ After the attack on Bacha Khan University, the opposition criticized the government for focusing only on ‘relieving’ the symptoms rather than focusing on the root causes of terrorism in the country.¹⁸⁵ MQM leader, Haider Abbas Rizvi, raised concerns regarding inaction against banned (militant) organizations by the government as promised under NAP.¹⁸⁶

Despite repeated terrorist incidents, the government of Pakistan believed that NAP was a comprehensive strategy to deal with terrorism in the country. The government’s belief in military courts can be observed by a media conference of Nisar Ali Khan on 28 January 2016.¹⁸⁷ He praised the achievements of NAP and said that terrorists’ incidents had decreased in the country and NAP had broken the back of terrorists.¹⁸⁸ He criticized political opposition for raising questions against NAP and said that sporadic terrorist incidents even if they were tragic, should not cloud the success of NAP.¹⁸⁹ Prime Minister of Pakistan expressed similar

¹⁸¹ Amir Wasim, “Govt Accused of Going Slow on National Action Plan,” DAWN.COM, April 21, 2015.

¹⁸² “Senate to Take up Resolution on NAP Today,” DAWN.COM, May 4, 2015.

¹⁸³ Khawar Ghumman, “NAP Not the Job Only of Interior Ministry: Nisar,” DAWN.COM, December 18, 2015.

¹⁸⁴ Ibid.

¹⁸⁵ “Government Has Failed to Implement NAP,” DAWN.COM, January 29, 2016.

¹⁸⁶ Ibid.

¹⁸⁷ “Chaudhry Nisar Ali Khan Press Conference – 28th January 2016,” Awaz.tv, January 28, 2016.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

views in his speech after a terrorist attack in the largest park of Lahore that claimed 72 lives.¹⁹⁰ In the post-attack speech which he delivered on 28th March 2016, Sharif said that Pakistan was not the only country that was facing the threat of terrorism and that distinct progress could be seen in the decrease of terrorist incidents in the country as a result of the measures adopted by the government of Pakistan.¹⁹¹ He said that the recent attacks on school, churches and parks by the terrorists showed that they had become weak and were on a run, therefore they were aiming for soft targets.¹⁹² He added that through the counter-terrorism strategy, the nation of Pakistan was avenging every life they had lost to terrorism and that time was nearby when the war against terrorism would be won.¹⁹³ The government of Pakistan's stance shows that it did not consider continuous terrorist attacks as the failure of NAP and criticized those who expressed such views. It rather highlighted the achievements of NAP and declared it a comprehensive anti-terrorism strategy that it argued had backing of the nation and should continue. Hence, despite recurrent incidents of terrorism, government narrative on terrorism as existential threat and NAP as the best means to deal with the threat did not change. The Prime Minister and Interior Minister of Pakistan reiterated the success and need for the continuation of NAP to root out terrorism.

Military courts expired on 7 January 2017 as a result of the sunset clause that was part of the twenty-first constitutional amendment. In their two years of tenure, the courts heard 275 cases in which 12 terrorists were executed, 161 were sentenced to death and 116 were given life sentences or different jail terms.¹⁹⁴ However, the government of Pakistan felt that they need to renew these measures since it believed that NAP had been a comprehensive counter-

¹⁹⁰ "At Least 72 Killed in Suicide Blast as Terror Revisits Lahore - Pakistan," DAWN.COM, March 27, 2016.

¹⁹¹ "Prime Minister's Speeches: PM Address to Nation (28-03-2016)," Prime Minister's Office: Islamic Republic of Pakistan, March 28, 2016.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ "Curtain Comes down on Military Courts," DAWN.COM, January 7, 2017.

terrorism strategy. The Prime Minister of Pakistan in a high-level meeting on Pakistan's foreign relations appreciated the role of military courts in combating extremism and terrorism in the country and announced the initiation of "consultation for constitutional amendment to continue the Military Courts for a period which is agreed by all political parties present in the Parliament."¹⁹⁵ The political parties were caught in a fresh debate following the news, a majority of whom expressed confusion on further need for the courts.¹⁹⁶ Following the news, Shireen Mazari of PTI said that her party would look into the proposal as mere extension of courts would not serve the purpose.¹⁹⁷ Farhatullah Babar, leader of PPP, expressed reservations not only on the objective of the establishment of courts but also on the misuse of the mandate.¹⁹⁸ However, some politicians welcomed the move and considered the courts necessary for a deterrent strategy.¹⁹⁹

The government decided to conduct parliamentary parties' meetings to put forth the agenda for renewal of the courts in front of the key members of the Parliament. The first meeting of parliamentary parties, held on 10 January 2017, remained inconclusive as the political opposition as well as the allied parties were reluctant in giving a go-ahead for the extension of military courts.²⁰⁰ The political leadership demanded evidence of the cases trialed under the military courts for a thorough analysis and questioned their further need.²⁰¹ The deadlock between the government and the political parties remained even after the second and third meetings held on 17 January 2017 and 1 February 2017 respectively. The opposition

¹⁹⁵ "Prime Minister Muhammad Nawaz Sharif Chaired a High Level Meeting on Pakistan's Foreign Relations at PM House," Prime Minister's Office: Islamic Republic of Pakistan, January 9, 2017.

¹⁹⁶ Baqir Sajjad Syed, "Govt Begins Talks for Revival of Military Courts," DAWN.COM, January 10, 2017.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Amir Wasim, "Opposition Awaits Govt Briefing on Military Courts," DAWN.COM, January 12, 2017.

²⁰¹ Ibid.

expressed dissatisfaction over the government's briefing and asked for elaboration on the steps government took to reform the judiciary that was one of the reasons military courts were supported by the opposition.²⁰² In a later meeting, the opposition decided not to provide the government with unconditional support for the renewal.²⁰³ The opposition agreed on the revival of military courts but showed reservations regarding the probability of courts gaining permanent status, previous performance of the courts, and three-year extension period proposed by the government.²⁰⁴ Farooq Sattar, leader of MQM, said that unlike previous time when the party provided unconditional support, this time the support would come with some conditions.²⁰⁵

After experiencing failure in convincing the opposition, the Prime Minister held high-level security meetings with the Interior Minister, Finance Minister, Advisor to PM and military officials on internal security and to discuss a way forward for curbing terrorism in the country.²⁰⁶²⁰⁷ The officials decided "to further energize efforts on implementation of National Action Plan."²⁰⁸ In fresh attempts to convince the political opposition, draft of twenty-third constitutional amendment was presented that was rejected by two major political parties, *Pakistan Peoples Party (PPP)* and *Pakistan Muslim League-Q (PML-Q)*, on grounds of tenure; while the government wanted three years term for the renewed military courts, *PPP* and *PML-Q* proposed one and two years, respectively.²⁰⁹ As a result of continuous negotiation between

²⁰² Amir Wasim, "Govt, Opposition Still Deadlocked over Military Courts Revival," DAWN.COM, February 1, 2017.

²⁰³ Amir Wasim, "PPP Ends Boycott of Meeting on Mly Courts," DAWN.COM, February 24, 2017.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ "PM Chairs High-Level Security Meeting - 3 March 2017," Prime Minister's Office: Islamic Republic of Pakistan, March 3, 2017.

²⁰⁷ "PM Chairs High-Level Security Meeting - 13 March 2017," Prime Minister's Office: Islamic Republic of Pakistan, March 13, 2017.

²⁰⁸ Ibid.

²⁰⁹ "Parliamentary Parties Discuss Military Courts Issue Today," DAWN.COM, March 9, 2017.

the government and the political opposition, an agreement was reached on 16 March 2017, i.e. almost two months after the lapse of military courts, to renew military courts for further two years.²¹⁰

The approval to renew NAP for another two years did not come without questioning the success of the measures and its justification for renewal. The primary concern of the political opposition was the mystery regarding the trials, convicts, charges and position of the accused. The government and the opposition agreed on forming a parliamentary committee consisting of all parties in the Parliament, that would oversee the performance of NAP and improvements in the judicial system.²¹¹ The government also acceded to some²¹² of the demands of opposition that were not made during the establishment of military courts in 2015. These demands included rights of accused to be presented before a court within twenty-four hours, the law of evidence to be enforced, accused to have right of the choice of counsel and accused to be presented with evidence against him/her within twenty-four hours.²¹³ The government also acceded to the demand of religious political parties on omitting the word “use” from the phrase “use and misuse of religious groups.”²¹⁴

Henceforth, the Constitution (Twenty-eight Amendment) Bill, 2017 was introduced in the National Assembly on 20 March 2017.²¹⁵ In the debates in the National Assembly and the Senate following the presentation of the bill, leaders of political parties expressed resentment towards the bill before approving it. Achakzai argued that the oath of Pakistan Armed Forces include that an army person will “uphold the Constitution of the Islamic Republic of Pakistan”

²¹⁰ Syed Irfan Raza, “Accord on Military Courts’ Revival for Two Years,” DAWN.COM, March 17, 2017.

²¹¹ Ibid.

²¹² 4 out of 9 proposals of an opposition party (PPP) were accepted.

²¹³ Ibid.

²¹⁴ Ibid.

²¹⁵ “National Assembly Debates, 20 Mar 2017” (National Assembly of Pakistan, March 20, 2017).

and “will not engage in . . . any political activity”.²¹⁶ Similarly, another MNA, Naveed Qamar, criticized NAP and said that what was promised to be achieved in two years had not been achieved and after two years there might be a similar debate going on.²¹⁷ He added that “let’s be under no illusion that we are going to make Pakistan safe by passing this law today”.²¹⁸ Similarly, Senator Usman Khan Kakar, said that military courts were not the solution to terrorism and establishment of such courts was compromising the democratic norms.²¹⁹ Senator Sherry Rehman declared the renewal as a mutual failure and tragic day for Pakistan.²²⁰

The Parliament passed the bill with an overwhelming majority²²¹ that came into effect as the twenty-third Amendment to the Constitution of Pakistan after receiving the formal assent of the President Mamnoon Hussain on 31st March 2017.²²² The military courts were reestablished for another two years, i.e. from 7 January 2017 till 6 January 2019. The legal language of the amendment states the necessity for “continuation of the special measures adopted for expeditious disposal of certain offenses related to terrorism” as the extraordinary situation still exists in the country.²²³ It also stressed that “there still exists grave and unprecedented threat to the integrity of Pakistan” and “it is in national interest to continue the special measures adopted pursuant to the Constitution (Twenty-first Amendment) Act,

²¹⁶ Ibid., 53.

²¹⁷ Ibid., 65.

²¹⁸ Ibid., 66.

²¹⁹ Senate Secretariat, Islamabad, “The Senate of Pakistan Debates: Official Report - 22 March 2017,” 260th Session (Islamabad, Pakistan, March 22, 2017), 16.

²²⁰ Ibid., 26.

²²¹ 253 MNAs voted in favor and 4 against the bill. 78 Senators voted in favor and 3 voted against the bill.

²²² Bilal, “Military Courts Resume in Pakistan.”

²²³ Islamic Republic of Pakistan, “Constitution (Twenty-Third Amendment) Act, 2017,” Pub. L. No. Act No. XII of 2017 (2017).

2015”.²²⁴ The necessity to allow military courts for further two years was felt because those measures “... yielded positive results in combating terrorism”.²²⁵

The government of Pakistan felt the need to renew the exceptional measures it took in wake of the APS incident for further two years once they lapsed. Unlike previously, the consultation process took almost two and a half months till the measures were readopted. For the renewal of military courts, the government had to convince the audience not only about the continued existence of existential threat but also the means adopted earlier as suitable enough to be readopted. The audience, while agreeing on the existential nature of the threat, raised multiple concerns. The political elites had been critical throughout the first tenure of NAP. Their concern at that time was regarding the government’s inability to properly implement NAP. Soon after the government showed interest in the renewal of military courts, there had been different layers of questions raised by the opposition. Initially, the political elites showed disinterest in the renewal of courts. However, in multiple meetings with the government, the opposition raised numerous concerns. The religious political parties were concerned that the use of word ‘religious’ in proposed Bill could make any religious group vulnerable to NAP. Other concerns were related to the performance of NAP and its suitability as counter-terrorism strategy. Concerns raised over the tenure of renewed military courts and their probability to gain permanent status shows that the opposition was not willing to provide unconditional support for renewal of NAP. It was also successful in pushing the government to accept some of its demands which were incorporated in the Bill. It took 15 meetings and 2.5 months for the government to bring Parliament into confidence. The negotiation between the actors and the audience continued which ended into an agreement over the continuation of military courts but with some amendments in the bill as proposed by the audience.

²²⁴ Ibid.

²²⁵ Ibid.

The 'second stage' in the securitization of terrorism in Pakistan shows that the threat remained 'existential' as the measures proposed during the 'first stage' could not deliver what they intended to. Terrorism remained a grave threat to the country; the government, in fact, used the 'continuous existence' of such threat as an excuse to propose further continuation of measures. Neal's work analyzed the development of exceptional measures over time when there is no emergency in play. He argues that legislative security politics in such scenario takes on either of the two kinds of normalization; either it becomes incremental normalization where the exception becomes normal in the form of repeated adoption of measures, or it adopts acts of legal normalization where the law passed in response to an emergency is given a permanent status. The case of securitization of terrorism in Pakistan exhibits that the Parliament was concerned about both kinds of 'normalization'. It not only criticized the measures initially adopted in terms of their progress, tenure and suitability but also contested the measures by providing support only when the government acceded to some of its demands. Moreover, the Parliament's continuous reiteration of the importance of sunset clause and its rejection of the government's three-year tenure proposal shows that it wanted the arrangement temporarily and did not show any intention to make the measures normalized or institutionalized.

The 'second stage' of securitization of terrorism in Pakistan shows that the audience did contest the measures; however, the contestation was grounded on the outcome of measures. As the threat was still of existential nature, much of the Parliament's concern was regarding the absence of fair trials and failure in the reduction of terrorist incidents in the country. The very reasoning of exceptionality through which the actor wanted to readopt the measures, was questioned by the audience. The audience questioned the prevalence of the threat as well as the means adopted to deal with it. While the actor's focus was to highlight the achievements of the measures, the audience focus was to raise questions of its failure to achieve what it intended to. Hence, the second phase was marked by the intersubjective establishment of the suitability

of the measures. As a result of the contestation, some of the proposed amendments to the bill by the audience was also included. Hence, neither the process became institutionalized nor the process faced any unchallenged period, instead the audience challenged the suitability of the measures. However, the challenge came on part of the measures, whereas the threat remained existential.

The ‘second stage’ of securitization of terrorism exhibits continued and prolonged contestation between the actor and the audience. The audience was critical soon after the measures were adopted for the first time. The renewal process took a long time and negotiation before reaching a consensus on the revival of military courts. Hence, the need of drama and contestation did not fall away as argued by the Copenhagen School and Roe, neither did the securitization process face any ‘uncontested period’ as explained by Adamides; instead, we witnessed continued contestation and criticism over the measures adopted between the actor and the audience.

CONCLUSION:

The aim of this research was to analyze the process of securitization in case of continuous threats. By analyzing intersubjectivity among the actor and the audience, which is the main criterion of securitization, the research aimed to analyze the changing nature of actor-audience relationship over time with respect to the securitization of continuous threat. The research aimed to contribute towards the existing literature of securitization where there is a dearth of scholarship available on securitization of continuous threat.

Terrorism has been a recurrent threat to the integrity of Pakistan since the country's decision to support the United States in War on Terror. Despite frequent and different measures taken by the country's establishment to tackle this threat, the measures remained limited either in the form of military operation in one area or qualitative difference in response towards terrorism in different areas of the country. With the attack on APS, the government decided to adopt a comprehensive counter-terrorism strategy in the form of NAP for two years that was renewed for another two years after it lapsed. While the exceptional measures were rushed in the first phase by the government and Parliament supported the government with its decision despite having reservations, the measures were contested during the second time and amendments were made in the bill as per the demand of the political opposition.

In case of the continuous threat, an attack serious enough like APS starts the process of securitization where the threat is eventually declared as an existential threat by the actor. The securitization of continuous threat is different in a way that a sense of the seriousness of the threat has already been established among the actor and the audience. In light of a serious attack, the threat is declared as an existential threat by the securitizing actor that required means different than ones that may have been adopted earlier, that is to say exceptional means are suggested and adopted. Since the threat has already been ingrained in minds of the audience as something that requires attention, hence actor's task is only to declare it as an existential threat

that now requires exceptional means to deal with it. The audience acceptance to both, i.e. the nature of threat as existential and means to deal with the threat as proposed by the actors, comes together. In securitization of continuous threat, the threat only changes its level from continuous threat to existential threat and so does the speech rhetoric of the actor who declares the threat as existential. Hence, the intersubjective establishment of the threat as well as means to deal with the threat is achieved simultaneously among the actor and the audience.

In the first phase, the audience may contest the means to deal with the threat; however in wake of an emergency these measures are usually rushed as argued by Neal as well. Hence, the contestation is set aside and the audience trusts the ability of the actor to deal with the threat. Therefore, in the first stage, the intersubjective establishment of existential nature of threat as well as means to deal with the threat is achieved simultaneously among the actor and the audience. After the first stage of securitization, the threat may end (or fades away) or it may remain the same. In case of former, the audience may contest the exceptional reasoning of the actor as well as the measures as argued by Neal. The intersubjective establishment of threat is contested in such situation, i.e. emergency ceases to be emergency that results in the questioning of means to deal with the threat.

However, this research aimed to analyze securitization when the sense of emergency remained the same or does not fade away. In such circumstances, the threat perception remains the same. As the securitization process continues over time, the actor's rhetoric focuses on the continuous existence of existential threat that requires continuation of measures proposed earlier. Although the security argument can be repetitive, the recurrent threat may not become institutionalized in the form of a bureaucratic arrangement as argued by the Copenhagen School nor the securitization process may become normalized as argued by Neal. The threat remains intersubjectively established as existential threat and securitization process continues as well but it may change form. Over time, the audience may question the legitimacy for the need of

measures that were adopted to deal with the threat. The securitization of terrorism in Pakistan shows that the audience did not accept the measures without challenging it. It took part in negotiation by giving suggestions and amendments in the measures to make them more suitable to deal with the threat. Initially, the audience rejected the continuation of exceptional measures; however, with repetitive efforts of the government it later agreed to it but proposed amendments in the bill. Hence, the intersubjective establishment of the existential threat as well as means to deal with threat was achieved over time as well but after multiple meetings and negotiation. Therefore, the securitization process continues till actor-audience relationship continues regarding the intersubjective establishment of the threat as well as means to deal with the threat.

By presenting the case study of securitization of terrorism in Pakistan, the research argued that securitization process may change over time and its continuation is dependent upon the intersubjective relationship among the actor and the audience. Hence, the process of securitization continues as long as the intersubjectivity is established between the actor and the audience. This intersubjectivity is not only about the threat but also about means to deal with the threat. Moreover, the case also showed that it may not be necessary that the response to a recurrent threat becomes institutionalized over time. Linking response to recurrent threat with institutionalized securitization overlooks the process through which intersubjectivity is established between the actor and the audience. Similarly, the process cannot be called to have achieved normalization as the audience remained watchful about the measures adopted unconditionally or obtained a permanent status. The contestation and pressure from the audience to the government on various aspects of the measures exhibit active role of the audience in questioning the measures adopted.

The main aim of the research has been to understand how securitization process unfolds over time, hence it analyzed the intersubjective relationship between the actor and the audience.

The research does not deny the role of multiple audiences; however, the role of public/masses as an audience has not been discussed and elaborated in the thesis. Since the research dealt with the legislative measures as extraordinary measures, Parliament has been the focus of analysis. Another limitation is that the research and conclusion of this research can be applied in countries where democracy is the form of government. Since Pakistan is a parliamentary democratic country, hence my research is limited to a specific political environment where political opposition has an active role in contesting not only the nature of the threat but also the means to deal with the threat.

The case of securitization of terrorism in Pakistan has potential significance in security field which not only deals with one-time security issues but also continuous threats. The case study has broader implication in understanding securitization of continuous threats. Pakistan is not the only country that has been facing continuous threat of terrorism. The threat of terrorism is faced by the West and other countries as well where it has been a recurrent phenomenon. Moreover, the issue of continuity of threat is not only limited to terrorism but is a phenomenon in other domain as well such as issues of environmental degradation, climate change etc. Understanding securitization of continuous threats provide useful insight on how the intersubjective relationship between the actor and the audience unfolds over time. The continuous nature of threat makes securitization an interesting field to study the nature of securitization that changes with the change of time. Analyzing actor-audience relationship over time provides us an insight of the securitization process rather the outcome. Based on the process, the outcome can be anticipated but cannot be guaranteed (e.g. institutionalized response may not always be the case). By analyzing the case study of securitization of terrorism in Pakistan, the research aimed to highlight the importance of studying securitization process for continuous threats without assuming the outcome. Only by analyzing the process and intersubjectivity among the actor and the audience over time, one can examine that

securitization process of continuous threats may not necessarily becomes institutionalized or normalized.

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