

# Countering Violent Extremism through Narrative Building in Pakistan

KASHIF MAHMOOD\*

## Abstract

*An analytical study of violent extremism reveals that criminal law's deterrence theory is ineffective in curbing irrational behaviours of ideologically disoriented men. Such behaviours are mostly the outcomes of circumstances where subjectivities of hate, fear, anguish, zeal, and passion override the punitive objectivity of laws. Sociopolitical and ideological violence is the systematic behaviours of the masses to express chronic agonies emerging from the scarcity of their basic human needs including dignity, the pursuit of happiness, social justice, and common wealth. These values mostly revolve around an ultimate conception of equality that is hard to accomplish in ethnically or socially polarized societies because the legal systems in these societies are meant more to enforce coercive public order than to construct a collective conception of justice.*

## Keywords

cognitive anomalies, post-rational crimes, amygdala hijack, radical criminology, de-radicalization, hybrid warfare, social engineering.

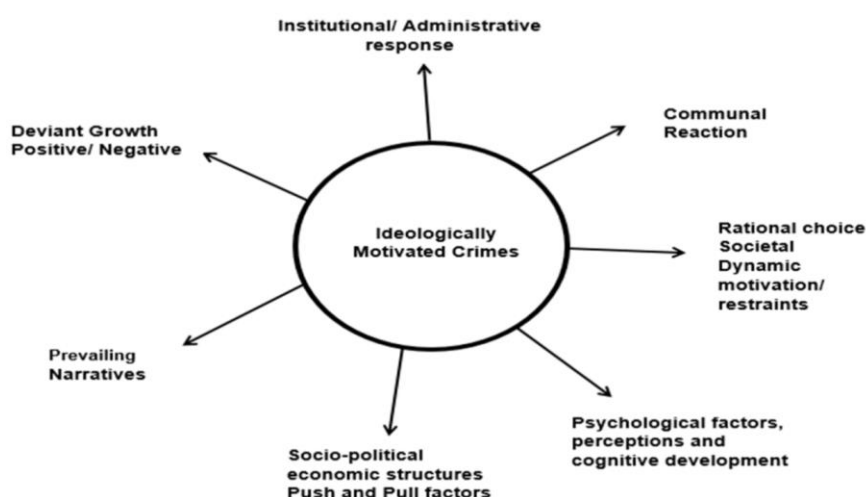
## Countering Ideologically Motivated Violence

Countering violent extremism in conjunction with the criminal justice system and physical punishment is an effective tool to manage and deter ideologically motivated crimes against humanity and the state. However, in the contemporary era, hybrid warfare, in which ideologies and narratives play a pivotal role to instigate individuals and groups to raise arms against the public at large and state, counter-narratives, strategic communication, public diplomacy for perception management, counselling, rehabilitation and de-radicalization campaigns are more effective tools for social engineering and denouncing subversive

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\* Federal Government Employee, Islamabad, Pakistan.

propagandas and radical philosophies. The existing global threshold of localized armed conflicts also indicates that the physical approach alone is not sufficient to deter ideologically driven crimes. In this regard, radical scholars in criminology and peace studies emphasize community policing to augment the bottom-up approach for community surveillance and vigilance. In other words, it is policing by people for people through capacity building and research-driven strategic communication. The following cycle states the new dimensions of policing used to effectively establish peace.<sup>1</sup>



**Figure 1: New dimensions of policing**

The above framework is based on radical criminology with an assertion that the existing criminal justice system with its physical approach is not effective as such to counter ideologically motivated crimes as the current paradigm of urban warfare is based upon ideologies and narratives that are not tangible to govern and manage with the utilitarian model of policing. Similarly, positive criminologists consider all humans to be equally able to respond to socio-psychological and political stimuli with a premise that fear of punishment will deter them from transgressing and violating limits imposed by law. On the other hand, radical criminologists believe that socio-political culture, religion, race, traditions, geography, and cognitive development have a deep impact on the human mind and action. Subsequently, men being rational actors respond irrationally in the name of religion, belief,

<sup>1</sup> Sandre Walklate, *Understanding Criminology: Current Theoretical Debates* (Berkshire: Open University Press, 2007), 32-35.

ethnicity, honour, traditions and values. Such determination of otherwise rational individuals to commit heinous crimes revolves around seven core structural and interconnected components under the connotation of post-rationale crimes.<sup>2</sup>

The socio-economic and political discourse of the targeted communities is the first and most important factor to understand in the context of the vulnerable groups which can be manipulated by ideological subversion and propaganda. An ideologically distorted and confused mind searches for an alternative, either in the form of a dialect or deviance. At this juncture, perception management is important to curb conspiracy theories and discourse which instigate the vulnerable mind to justify the crime. If a person or community takes refuge in self-pity and morally justifies transgressions against the settled values and order by stigmatizing or blaming, a deviant discourse then persists in the second phase.<sup>3</sup>

The third tier of ideologically motivated crimes focuses on its socio-economic and political cost to the individual or community, as grave consequences require a high threshold of moral justification. A punitive deterrence and physical approach to punishment usually become irrelevant in the case of religiously or psychologically justified motives and zeal. The fourth phase revolves around the social legitimacy of deviant discourse depending upon the response of the public at large. The fifth phase is a kind of catalyst that determines the potential formation of violent extremism in society, as not only intent or motive but sometimes offenders are indistinct in the populace. Therefore, a conventional approach with administrative tools frees executive impunities due to its indiscriminate use of force. This not only justifies deviant causes under the pretext of human rights violations but also enlarges the vicious cycle of violence. The threshold of arms, contested areas and populations, magnitude, sustainability and capacity of armed groups, number and severity of attacks, as well as forms of administrative force determine the nature of unrest ranging from sporadic rioting to internal armed conflict.<sup>4</sup> Viable solutions to this force include systematic approaches to comprehend the context of communities and the perpetrators, as well as anger and conflict

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<sup>2</sup> Julian Richards, *Extremism, Radicalization and Security: An Identity Theory Approach* (Switzerland: Palgrave Macmillan, 2017), 55-61.

<sup>3</sup> Walklate, *Understanding Criminology*, 32-33.

<sup>4</sup> Claire de Than and Edwin Shorts, *International Criminal Law and Human Rights* (London: Sweet & Maxwell Limited, 2003), 23-34; Benjamin Perryman, *War Crimes in Internal Armed Conflicts* (Cambridge: Cambridge University Press, 2008), 25-60.

management through community policing and social control through counselling and rehabilitation interventions. Likewise, social mapping to locate vulnerabilities and fault lines, as well as empowering socially legitimate elders to assert the influence for mediation and reconciliation, has the potential to subside unrest and delinquency.<sup>5</sup> The recent withdrawal of international forces from Afghanistan after a futile two-decades-long counter-insurgency campaign and the resurgence of the Taliban regime illustrates that the physical approach alone is not viable to curtail ideologically motivated violence and extremism without comprehending indigenous ethnography and social psychology.<sup>6</sup>

The sixth contour that deals with deviance escalation comes out of the administrative response, such as when the indiscriminate use of power and gross misconduct exacerbate resistance at the grass-roots level. The doctrine of state oppression, in conjunction with different forms of conspiracy theories, is propagated by extremists to enlarge the support base among the public. The seventh phase of the cycle regarding narrative building is crucial at this juncture. If the state apparatus resorts to it strategically, anti-state propaganda loses its support base. This cycle indicates that administrative response, deviance growth, and subversion are interlinked. In conjunction with community policing, conflict and stress management undercuts the support base of deviance and anti-state propaganda.<sup>7</sup> Accordingly, the national peace narratives of Pakistan against violent extremism and terrorism titled “*Paighām-i Pākistān*” and “*Dukhtarān-i Pākistān*” indicate that perception management through state institutions has the potential to counter ideological disorientations regarding raising arms in the name of religion and excommunication.<sup>8</sup>

An analysis of extremist narratives indicates that pull factors like the reward of *jihād* in Heaven, the supremacy of *sharīah* laws over the secular legal framework, perpetual state of conflict with non-Muslims and their inferior political status in *dār al-Islām*, justification of killings of civilians as collateral damage, and propagating targeted killings of law enforcement agencies are subjectively interpreted from the Qur’ān and

<sup>5</sup> Walklate, *Understanding Criminology*, 34.

<sup>6</sup> Walter S. DeKeseredy, *Contemporary Critical Criminology* (New York: Routledge, 2011), 5-10.

<sup>7</sup> Walklate, *Understanding Criminology*, 35.

<sup>8</sup> *Paigham-e-Pakistan* (Islamabad: Islamic Research Institute, 2018), 40-48; Council of Islamic Ideology and International Islamic University, Islamabad, *Dukhtran-e-Pakistan* (Islamabad: Iqbal International Institute for Research and Dialogue, 2019), 43-68; Muhammad Zia-ul-Haq, “Qaumī Bayāniyah: Taṣawwur aur Lā’ihah-i ‘Aml,” *Fikr-o Nazar* 57, nos. 1-2 (2019): 273-76.

*sunnah*.<sup>9</sup> Such methods are resorted to for attracting the people who are either facing relative deprivations or experience an identity crisis in westernized societies and urban clusters of Muslim societies or are socio-economically marginalized in peripheries of the latter.<sup>10</sup>

There are ten core components of subversive violent narratives that have the potential to manipulate their audience through brainwashing and social engineering. The first deals with the “core argument” it espouses, ranging from ethnonational separatism, racial supremacy, sectarianism, anarchy, and international terrorism. The second component focuses on its “target audience,” which may include political elites, academia, intellectuals, faith leaders and their followers, labourers, students, illiterate or semi-illiterate unemployed youth and even housewives. The third component “syntax design” deals with the language and form of written, oral and visual material that mostly consist of conspiracy theories and the subjective interpretation of sacred scripts, historical events, and major political or socio-economic discourses in the form of dramatic and poetic pathos, tragedy, sarcasm or even mockery.<sup>11</sup>

The fourth component “situational paradigms” covers time and space, which means that propaganda narratives are time-bound and fluid depending upon global, regional, and domestic scenarios and occurrences. The fifth and sixth elements “socio-psychological legitimacy” and “emotional construct” respectively are alluring as the former mostly covers religious beliefs and societal values that are cognitively deep-rooted in society. The targeted audience authenticates the message through the lens of the belief system—if propagated through religious scholars or political figures or subjectively crafted from the holy text—and blindly follows the charismatic authority. The latter touches upon human relations, interactions, feelings, the influence of economic deprivations, class differences, and social structures which are employed to argue against a particular group, society, and political system. The seventh element “plotting” covers the presentation of the message through the validity of data and misinterpreted events to inculcate ideological disorientation. The eighth component “resolution” deals with intended manoeuvring through perception and advocacy by setting a stage for anarchy. The ninth component “coda” deals with

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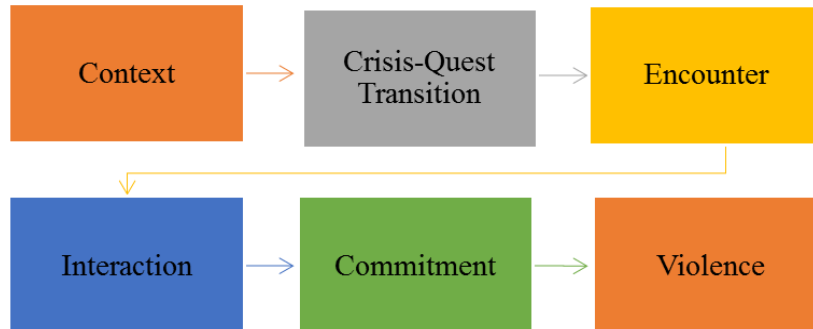
<sup>9</sup> Randy Borum, “Radicalization into Violent Extremism I: A Review of Social Science Theories,” *Journal of Strategic Security* 4, no. 4 (2011): 9-11.

<sup>10</sup> *Ibid.*, 16-22.

<sup>11</sup> Dekeseredy, *Contemporary Critical Criminology*, 10-12; Arie W. Kruglanski, *The Psychology of Closed Mindedness* (Sussex: Taylor & Frances Books, 2004), 3-4.

calculated sabotage through a motivated audience for a desired socio-political change. The tenth element “decoding hedging” focuses upon expected post-anarchic normalcy with the premise to the audience for their institutionalization in neo-normal paradigms.<sup>12</sup>

The study of behavioural science indicates that the systematic process of ideological subversion affects the socio-psychological fabric of societies. The hate paradigm that consists of class differences, ethnic polarization, power struggle, defamatory language to dehumanize others, the popular deficit in the system, and the colonial model of governance are core catalysts for imbalances that trigger the intent of revenge from an actual or perceived enemy. Through biased literature in group interaction, a cluster of propagandas and subversive ailments fueled by hostile elements identify these fault lines to motivate socio-political and religious disorientation, which is a causal factor of radicalization. Thus, radicalization is a complex phenomenon that cannot be countered with only one specific strategy. Rather, it is a set of strategies required for different groups coupled with a narrative-building process for the mainstreaming and integration of secluded segments by considering socio-economic, political, and religious dimensions in the following manner:<sup>13</sup>



**Figure 2: Socio-economic, political, and religious dimensions**

In the above flow chart, subsequent transitions are identified as the radicalization process that needs to be specifically targeted while laying down a counter-radicalization strategy. The “context” comprises different factors like educational, cultural, political, and social factors affecting the conversion process and accelerating its development. The “crisis-quest transition” is a state of personal instability caused by personal, political, ethnic or social disruption followed by seeking

<sup>12</sup> Krunglanski, *The Psychology of Closed Mindedness*, 14-17.

<sup>13</sup> Borum, “Radicalization into Violent Extremism I,” 22.

solutions or activities to restore inner stability. The “encounter” marks the initial contact between a seeker and an ideological option or solution. Most naïve supporters of a sub-nationalist cause at this stage come across a wide range of exploitive anti-national ethnic or political propaganda that proves vital for their brainwashing and turning them into more radical people. An “interaction” includes the direct exchange between the seeker and the propagandist to develop more information or to introduce them to other followers to make for an active member of a violent group. At this stage, a seeker is ideologically turned into a staunch follower of an anti-national group. A “commitment” involves a decision demonstrating faithfulness to a radical ideology and strengthening the bond of association with violent members. Such affiliation translates into a person ready to take revenge in different roles and forms. Finally, “violence” includes the use of unlawful force against any person, property, or the public at large to coercively enforce a cause or ideology against the will of others.<sup>14</sup>

Amid the inception of the extremist mindset facing an internal or external crisis, the radicalized individuals who have gone through some phases of the ideological subversion process decide to join the violent organization based on different reasons and objectives. The subsequent classification of radicalized individuals is based on different motives and drivers. A “revenge seeker” is an individual who is frustrated and angry, seeking an outlet to discharge their anger towards some person and group whom he perceives as being at fault. Being a “status seeker,” an individual seeks recognition and esteem from others. An “identity seeker” is an individual who is driven by a need to be a part of something meaningful and seeks to revive identities through their group affiliations. Such reactions are mostly in response to perceived personal or political grievances based on shared identities.<sup>15</sup>

Interestingly, such an extremist mindset does not necessarily validate every aggression using violent narratives. Rather, it infers its moral justification from a selective contextualization of the Marxist perspective of revolt and revolution against the dictatorship of the proletariat, the French revolution, grievances against Western civil liberties movements or even international human rights conventions. This frame of mind is known as “moral disengagement,” in which an

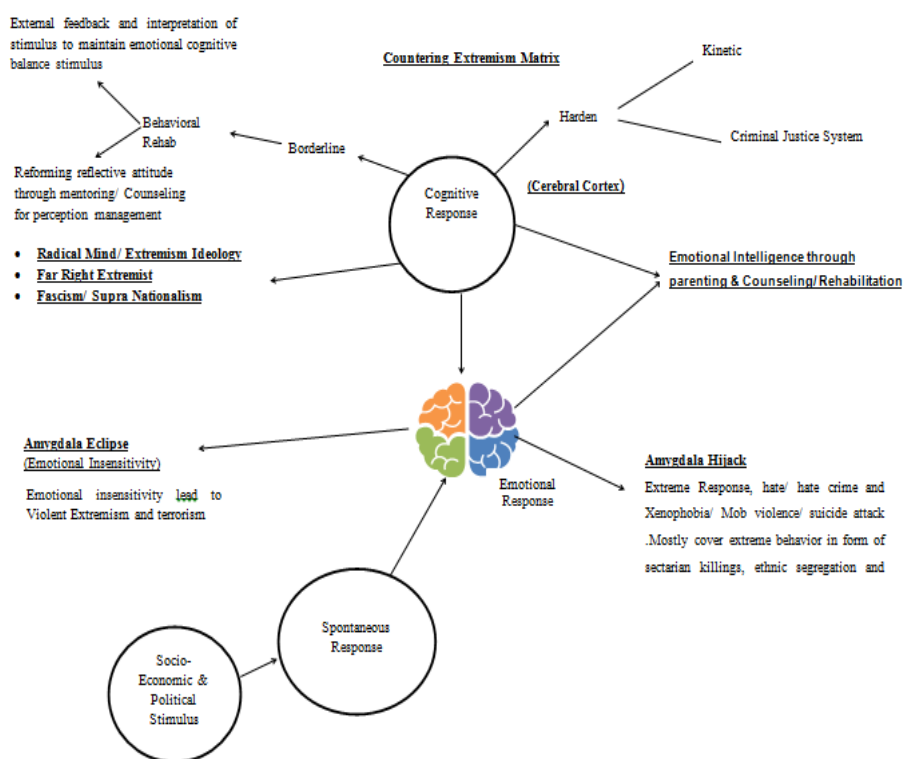
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<sup>14</sup> Ibid., 22-29.

<sup>15</sup> Richards, *Extremism*, 29-50; Fathali M. Moghadam, “The Staircase to Terrorism: A Psychological Exploration,” *American Psychologist* 60, no. 2 (2005): 162-64.

individual or group stigmatizes and dehumanizes others by constructing fallacies and conspiracy theories.<sup>16</sup>

Consequently, communication gaps emerge among different clusters of societies resulting in cognitive voids and the encapsulation of fragmented ideologues.<sup>17</sup> Under the influence of ideological disorientation, a perpetrator of violence against law enforcement and the public at large justifies it in the name of a higher moral authority. This phenomenon is known as “anger displacement,” in which frustration of perceived deprivations is satisfied through the assassination of persons because of their ethnic, religious, or official affiliation with a stigmatized community or institution.<sup>18</sup>



**Figure 3: Countering extremism matrix**

The matrix in figure 3 indicates that rather than an ordinary crime with criminal intent, the current wave of violent extremism is an

<sup>16</sup> Randy Borum, “Radicalization into Violent Extremism II: A Review of Conceptual Models and Empirical Research,” *Journal of Strategic Security* 4, no. 4 (2011): 37-39.

<sup>17</sup> Ibid., 40-41.

<sup>18</sup> Richards, *Extremism*, 81-95.



outcome of cognitive anomalies that requires systematic interventions of behavioural rehabilitation besides physical methods.<sup>19</sup> The question arises here that if physical means have lost their efficacies to deter ideologically motivated violence, why are these still pertinent? The answer to this question lies in the aforementioned context transition flow chart, as it illustrates that cognitive dissonance emancipates individuals from interpretations of their circumstances. Some consider illiteracy, unemployment, and poverty the outcome of the crisis of governance, whereas for others it is the manipulation of political elites to subjugate communities. Accordingly, the former intends to improve education and skills for employability and advocates change through democratic means. For the latter, raising arms and insurrection is the viable solution.

Yet another point arises here: What are the catalysts and dominating variables for both discourses? It might initially seem that parenting and nurturing, schooling, and mentoring by local religious leaders in mosques and peers are primary actors for social control and perception management. However, these individuals are not legally liable for their negligence.<sup>20</sup> Amid the legal void, a process of radicalization emerges through the systematic persuasion by entrepreneurs of hate, sectarianism, propaganda, and conspiracy theories. The latter process is beyond the ambit of criminal law until it transforms into extremism, in which the target itself becomes an activist and intends to change the socio-political environment. Such revolution through subversion is criminal as it attempts to hamper the public order and peace through different means including sabotage and terrorism.<sup>21</sup> Since crime is a confluence of causation, motive, intent, impact, and harm, the previously discussed process becomes relevant for policing through soft intrusions of de-radicalization and rehabilitation.<sup>22</sup>

The elements of causation and intent form a guilty mind that emerges through the brain matrix elaborated in figure 3. It indicates that constant motivation and manipulation disturb the brain's order to either stimulate or subdue the amygdala, the organ that controls emotions. In the case of the former, an "amygdala hijack" emerges that restrains

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<sup>19</sup> Shashi Jayakumar, ed., *Terrorism, Radicalization & Countering Violent Extremism: Practical Considerations & Concerns* (Singapore: Palgrave Macmillan, 2019), 50-52.

<sup>20</sup> *Ibid.*, 36-40.

<sup>21</sup> Moghadam, "Staircase," 165-66.

<sup>22</sup> Thomas J. Bernard, "The Distinction between Conflict and Radical Criminology," *The Journal of Criminal Law and Criminology* 72, no. 1 (1981): 363-66; Jayakumar, *Terrorism*, 75-78.

rationality and logic in the cerebral cortex, another organ that controls the thought process in the brain. An emotionally charged person commits an offence under the influence of hate, love, honour, or charisma by surpassing the deterrence of criminal law and fear of punishment. The later situation is called an “amygdala eclipse” that restrains emotions of humanism, reciprocity, and empathy, resulting in extreme rationality and rigidity under the hyper cerebral cortex. Under the ideology of excommunication, sectarianism, relative deprivation, and identity crises, a person commits a heinous crime by surpassing the fear of punitive actions and is even willing to sacrifice their life for a self-acclaimed cause. Both of these scenarios of post-rationale crimes create two categories of extremists: borderline and hardened.<sup>23</sup> The former, as first-time offenders, can be reformed through psychological rehabilitation and counselling in correctional facilities to provide them with an opportunity for repentance and cognitive consonance.<sup>24</sup> Radicalized extremists, propagandists, sympathizers, activists, and financial supporters of ideologically motivated insurrection come under this category. On the other hand, habitual offenders, trained terrorists, and combatants come under the second category that is harder to reform through soft intrusion, mostly due to their predatory insensitivity to the lives and liberties of their perceived enemies.<sup>25</sup> A seemingly viable option for such criminals is law enforcement operations and punishment through a court of law to protect the right of the public at large to peace.<sup>26</sup>

### **The Power Politics of Violent Extremism**

Violent challenges to state legitimacy and sovereignty are political, usually camouflaged as an ideological contestation to the status quo under the pretext of supreme ethical connotations. Consequently, Khilnani describes the political intent of “ism,” especially in the crime of

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<sup>23</sup> Clive R. Hollin, *Psychology and Crime: An Introduction to Criminological Psychology* (New York: Routledge Taylor & Francis Group, 2006), 63-70; Gina L. Forster et. al., “The Role of the Amygdala in Anxiety Disorder,” in *The Amygdala: A Discrete Multitasking Manager*, ed. Barbara Ferry (London: Intech Open, 2012), DOI: 10.5772/50323.

<sup>24</sup> Mumtaz Ali Bhutto v. The Deputy Martial Law Administrator Karachi, PLD 1979 Karachi 307; Niaz Ahmad v. Province of Sindh, PLD 1977 Karachi 604, 657, 661-62, 667; Liaquat Hussain v. Federation of Pakistan, PLD 1999 SC 504, 581, 589-590, 595, 598: The objective of preventive detention and other preventive laws is to establish a *locus Penitentiae* in mind of detainees to refrain from acting pre judicially.

<sup>25</sup> Moghadam, “Staircase,” 166.

<sup>26</sup> Mumtaz Ali Bhutto v. The Deputy Martial Law Administrator Karachi, PLD 1979 Karachi 307.

terrorism. The notion of “ism” indicates a forceful assertion of a specific ideology or policy through the employment of terror in a particular society.<sup>27</sup> However, the question is what kind of impact perpetrators of terror in a particular society expect? Are their violent strategies capable of bringing a desired change in the targeted system?<sup>28</sup> Forst responds that terror engenders fear in the minds of its audience and that fear distorts their potential for rational thinking. It creates such hysteria that instead of relying upon reason or morality, communities and individuals call to their instinct for survival.<sup>29</sup> Singer perceives the employment of fear as a tool to produce a sense of powerlessness in the minds of its addressees,<sup>30</sup> and Hassan considers it a manipulative tool to control the will of others.<sup>31</sup> Gearson argues in this context that terror is politically used to break the will of opponents. He further holds that terror is paradoxically engendered by an irrational response of the state apparatus to incidents of terrorism.<sup>32</sup> The magnification of such incidents through state agents creates a negative effect on the masses. As a result, society becomes psychologically hostage to such propagation. Likewise, normative arguments such as the rule of law, fair trials, innocent until proven guilty, appreciation of evidence, and the integrity of a person, lose their social legitimacy amid popular reprisal.

Thompson also contextualizes the terminology of “ism” in violent extremism with power politics for the assertion of specific ideologies in particular areas during interstate conflicts.<sup>33</sup> He associates this specifically with minorities and other sub-state groups and excludes majorities, ruling elites, and other state agents from such violent wrangling, as their ideologies are already hegemonic and prevail in

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<sup>27</sup> Brian Forst, *Terrorism, Crime and Public Policy* (Cambridge: Cambridge University Press, 2009), 5.

<sup>28</sup> Michael Freeman, “Order, Rights and Threats: Terrorism and Global Justice,” in *Human Rights in the ‘War on Terror,’* ed. Richard Ashby Wilson (New York: Cambridge University Press, 2005), 46.

<sup>29</sup> Forst, *Terrorism, Crime and Public Policy*, 299-337.

<sup>30</sup> Margaret T. Singer and Janja Lalich, *Cults in Our Midst: The Hidden Menace in Our Everyday Lives* (New Jersey: Jossey-Bass Publishers, 1996), 200-50.

<sup>31</sup> Steven Hassan, *Releasing the Bonds: Empowering People to Think for Themselves* (Danbury CT: Aitan Publishing Company, 2000), 60-70. The psychological impact of terror and correlative fears on human behaviours appears in three interdependent cycles: Unfreezing, which breaks down the will and reasonability; Changing, an indoctrinating process, which transforms reality into deception; and Refreezing, which is a process of reinforcing the new identity and mindset. *Ibid.*

<sup>32</sup> See Freeman, “Order, Rights and Threats,” 44-45.

<sup>33</sup> Peter G. Thompson, *Armed Groups: The 21st Century Threat* (London: Rowman & Littlefield Publishing Groups, 2014), 17.

society. These terrorist sub-state groups, being “principled evildoers,” consist of members of society who deviate from the general will, as well as the “categorical imperative: a commune for egalitarians” out of their own convictions. As a result, they not only challenge the legitimacy of the state and its regimes but also core social norms by possessing a deviated socio-political and economic mindset.<sup>34</sup>

Prolonged isolation and exclusion of these groups from the parliamentary process drive them to build radical narratives which further alienate them from the dominant ideology. An ideology in this context is a set of beliefs, based upon the orientation of life, and evolves a specific mindset to interpret the facts that justify violent acts to protect and promote their self-acclaimed cause. Such alienating ideology not only leads to fundamentalism but also helps to formulate particular objectives and strategies to accomplish such causes.<sup>35</sup> Hence, severe acts of terrorism are one of the forms of their strategy that transform sub-state groups into armed groups.<sup>36</sup>

Owing to variations in objectives and accompanying strategies, armed groups are often involved in transnational criminal activities, militia warfare, gang warfare, terrorist campaigns, and insurgency.<sup>37</sup>

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<sup>34</sup> Fernando R. Teson, “Liberal Security,” in *Human Rights in the “War on Terror,”* ed. Richard Ashby Wilson (New York: Cambridge University Press, 2005), 71-73. Kant’s perspective explains the moral convictions of the members of armed groups. It seems that due to their commitment and zeal towards a deviant philosophy, they attempt to become egalitarians. It is mainly due to their opposition to the core social values of society as enshrined in “categorical imperative,” which is also a foundation stone to further carve out core political values of the “general will” of a state.

<sup>35</sup> Thompson, *Armed Groups*, 33-36, 44-45, 125-29.

<sup>36</sup> *Ibid.*, 4-5, 59. It seems that terrorism is a strategic use of indiscriminate violence by non-conformists to convince coercively and to negotiate manipulatively with majority as well as to propagate their agenda or ideology. Often used by morally and politically disengaged groups who either do not believe in dialectical synthesis or are forced out to do so by a stringent legal system which does not assimilate pluralism and stigmatizes them as enemy aliens, hardened criminals, traitors, or terrorists. Two extremely polarized perspectives emerge where violence is employed to initiate a dialogue. Prosecutions and trials are also considered a dialogue under this scenario. Such contestation varies with time and place such as hegemony over natural resources, propagation of a specific political and constitutional narrative, geostrategic control of territory and its population, advocacy for a particular socio-cultural norm, and an assumed superiority of theological perspectives of a sect.

<sup>37</sup> Thompson, *Armed Groups*, 55, 80-92. The following are some common characteristics of armed groups, 1) autonomous actors, 2) Sub-state actors, 3) small membership, 4) lack of legitimacy and sovereignty, 5) clandestine, 6) belief in covert tactical moves, and 7) transnational though armed groups that operate intra-state but with sanctuaries in neighbouring countries to gain logistical and moral support.

Although the element of terrorism remains constant in all the above, it could be bifurcated into two core thresholds. In the lower threshold, terrorist groups are involved in micro-level conflict under the legal order paradigm. They do not intend to destroy the entire structure of the state. Rather, they just require a hegemonic role for their perspectives. In the upper threshold such groups, being insurgents, are involved in macro-level conflict through revolutionary and separatist movements under a public emergency paradigm. They either intend to have fundamental changes in the established order or want to institute an entirely new order according to their perspectives. Acts of terrorism are relied upon as a tool by both hegemonic-centric terrorists and revolution-centric insurgents. Sabotage and terrorism are not the core purpose of militants. Rather, they resort to these to influence people by implanting fear or sympathy. Armed groups perceive this scenario as a political opportunity not only to gain momentum for their cause but also to create a sense of legitimacy for their ideology in the targeted population.<sup>38</sup> The decade-long black turban unrest in Pakistan to impose self-interpreted *sharīah* indicates the same.<sup>39</sup>

As a result, a nexus develops between ideology, politics, and crime amid an internal armed conflict. In turn, this nexus distorts distinctions between criminals and political activists similarly between combatants and civilians.<sup>40</sup> Such amalgamations engender difficulties to categorize popular unrests objectively.<sup>41</sup> This complication of labelling has been discussed by Pakistani courts, observing that “these definitions are wide

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<sup>38</sup> Ibid., 34, 67.

<sup>39</sup> Manzoor Khan Afridi, Musab Yousufi, and Musa Khan, “Military Operation as a Response to Terrorism: A Case Study of Malakand Division Pakistan,” *Mediterranean Journal of Social Sciences* 5, no. 20 (2014): 2000-06; Ervin Staub, “The Roots of Evil: Personality, Social Conditions, Culture and Basic Human Needs,” *Personality and Social Psychology Review* 3 (1999): 179-92.

<sup>40</sup> Amrith Rohan Perera, *International Terrorism* (New Delhi: Vikas Publishing House, 1997), 1-13, 113-31.

<sup>41</sup> Thompson, *Armed Groups*, 6, 35. The following labels of intra-state conflicts not only overlap with each other but are also used interchangeably in a sheer “confusion,” as the subjectivity of labelling leads to another problem, which deals with the application of the relevant legal regime. Since internal armed conflicts are the threshold of insurgency, low-intensity conflicts and civil war attract the application of the laws of war and protection of humanitarian laws, especially when proclaimed as an emergency. Terrorism and other hybrid conflicts come under public order and the human rights regime. Therefore, the notion of internal disturbance covers civil war, low-intensity conflict, armed conflicts, internationalized conflicts, interstate conflicts, hybrid conflicts, extra systematic conflicts, insurgencies, small wars, irregular wars, and law and order crises.

enough to cover virtually every form of violence up to the threshold of conventional war.”<sup>42</sup> Reynolds argues that such a broad scope has its traces in the colonial patterns of administration that do not permit popular resentment and protests, impatient to suppress dissenting voices to establish negative peace. It is a kind of absolute obedience to administrative commands out of the fear of punitive actions and punishments rather than honouring it as the will of the people.<sup>43</sup>

Ben Saul argues that the wide scope of political unrest and terrorism blurs a distinction between crimes and political resistance due to which the state resorts to identical tactics to curb both. This indicates that conventional criminal justice systems are unable to comprehend the complexities of the intentions and motives of violent extremism and attempt to manage political activism under the “lexspecialis” of anti-terrorism laws.<sup>44</sup> Saul further highlights another aspect of anti-terrorism legislation as he discusses its potential to deter acts of terrorism. He believes that political violence through terrorism is a result of an ideological conviction for a cause that happens to be immune from the punitive impacts of stringent administrative actions. Hence, the utilitarian ethics of maximization of pain is often proved to be ineffective to deter such “principled” offenders who perceive such stringency as justification for their cause. Therefore, severe punitive measures without a counter-narrative become counterproductive in the anti-terrorism campaigns. Such counter-narratives mainly emanate from educational, economic, socio-political, and constitutional reforms under peacemaking and community policing to cater to segregated segments of society.<sup>45</sup>

The fatal issue in anti-terrorism and anti-extremism measures are implicit executive impunities under the pretext of surveillance, interception, and self-defence.<sup>46</sup> O’Donnell identifies them as “brown

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<sup>42</sup> Islamic Republic of Pakistan through Secretary, Ministry of Interior and Kashmir Affairs Islamabad v. Abdul Wali Khan, MNA, Former President of Defunct National Awami Party, PLD 1976 SC 57.

<sup>43</sup> John Reynolds, “The Long Shadow of Colonialism: The Origins of the Doctrine of Emergency in International Human Rights Law,” *Comparative Research in Law & Political Economy* 6, no. 5 (2010): 15-20.

<sup>44</sup> Ben Saul, “Criminality and Terrorism,” in *Counter-Terrorism: International Law and Practice*, ed. Ana Maria Salinas De Frias, Katja Samuel, and Nigel White (New York: Oxford University Press, 2012), 133-35.

<sup>45</sup> Faiza Patel and Meghan Koushik, *Countering Violent Extremism* (New York: Brennan Center for Justice, 2017), 2-5; Dekeseredy, *Contemporary Critical Criminology*, 44-45, 87-96.

<sup>46</sup> Colm Campbell, “Beyond Radicalization: Towards an Integrated Anti-Violence Rule of Law Strategy,” in *Counter-Terrorism: International Law and Practice*, ed. Ana Maria Salinas

zones,”<sup>47</sup> and for Dyzenhaus it is a “lawless void” of “legal black holes.”<sup>48</sup> Poole indicates that when diminishing structural evidential proof and strict liabilities on the accused, undue emphasis is given to circumstantial evidence that hampers the right to a fair trial.<sup>49</sup> Similarly, Rossiter indicates that “crisis” is a kind of turmoil that is beyond judicial oversight<sup>50</sup> and creates a “lawless void” that augments vicious cycles of abuse.<sup>51</sup> Schmitt indicates that the ordinary legal system is prospectively crafted by keeping in mind a normal state of affairs. Therefore, it is unable to counter turmoil.<sup>52</sup> Rossiter categorizes “crises” into external aggression, internal insurrection, and economic depression.<sup>53</sup> Accordingly, he believes that the conventional criminal justice system is inept to deter crimes during emergencies of all sorts.<sup>54</sup> Carr believes that to counter deviance and sabotage, governments resort to adopting counter-repression measures identified by Rossiter as a “constitutional dictatorship.”<sup>55</sup> This is a centrality of legislative, executive, and judicial powers under a sole entity to curb an imminent danger<sup>56</sup> during the exceptional period.<sup>57</sup> For Schmitt, it is “situational law” under the political necessity of society.<sup>58</sup> Rossiter says that through a novel device of “enabling act,” crisis legislations temporarily delegate legislative powers to the executive, known as “executive law-making during crises.”<sup>59</sup> This gives an absolute indemnity to executive action.<sup>60</sup> Dicey identifies such crisis legislation as a “rule by law” and the last resort to save the entire political system.<sup>61</sup> He believes that despite its unavoidable

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De Frias, Katja Samuel, and Nigel White (New York: Oxford University Press, 2012), 255-63.

<sup>47</sup> *Ibid.*, 260.

<sup>48</sup> David Dyzenhaus, “Schmitt v. Dicey: Are States of Emergency Inside or Outside the Legal Order?” *Cardozo Law Review* 27, no. 5 (2006): 2020-30.

<sup>49</sup> Myriam Feinberg, “International Counterterrorism, National Security and Human Rights: Conflicts of Norms or Checks and Balances?” *The International Journal of Human Rights* 19, no. 4 (2015): 390.

<sup>50</sup> Clinton L. Rossiter, *Constitutional Dictatorship: Crisis Government in the Modern Democracies* (Princeton: Princeton University Press, 1948), 9.

<sup>51</sup> Dyzenhaus, “Schmitt v. Dicey,” 2006.

<sup>52</sup> *Ibid.*

<sup>53</sup> Rossiter, *Constitutional Dictatorship*, 6.

<sup>54</sup> *Ibid.*, 6-7.

<sup>55</sup> *Ibid.*, 6.

<sup>56</sup> *Ibid.*, 289.

<sup>57</sup> Dyzenhaus, “Schmitt v. Dicey,” 2013; Rossiter, *Constitutional Dictatorship*, 8.

<sup>58</sup> Dyzenhaus, “Schmitt v. Dicey,” 2005-06, 2031.

<sup>59</sup> Jim Rossi, “State Executive Law Making in Crisis,” *Duke Law Journal* 56 (2006): 237-77.

<sup>60</sup> Rossiter, *Constitutional Dictatorship*, 10.

<sup>61</sup> Dyzenhaus, “Schmitt v. Dicey,” 2033-35.

illegality and rigour, a “rule by law” is far better than the “total state” perspective of an absolute administrative state. Instead of Schmitt’s “motivated” dictator or a military commander, it is legitimately tasked by the legislature.<sup>62</sup> However, Dyzenhouse identifies such a “rule by law” paradigm as a “legal black hole” where civil and personal liberties are indiscriminately violated by executives with absolute impunity, as the judicial organ has already been restrained to examine it under the doctrine of political question.<sup>63</sup>

Because of the use of the common law doctrine of necessity amid crisis management, Reynolds and Rajagopal have criticized Article 4 of the International Covenant on Civil and Political Rights. Both scholars believe that the use of permissible derogations of certain political rights by the state to comprehend grave emergencies, as incorporated in the said Article, represents Dicey’s legacy of “rule by law” and its resultant “lawless void.” They both indicate that since the United Kingdom actively negotiated in the drafting of the said covenant, its experience of handling law and order crises through special legislation and stringent police measures, especially in colonial territories, crept into this instrument. As a result, Reynolds identifies such state prerogative as “the long shadow of colonialism” while Rajagopal declares this “grim zone” of international human rights incompatible with pragmatic pluralism, as almost discretionary and unaccountable administrative penology is legitimized through public emergency under state necessity.<sup>64</sup> However, do such prerogatives possess any neutralizers to delimit the scope of discretions in national and international domains?

For Schmitt, police measures under this arena of *realpolitik* are absolute until the accomplishment of objectives for which a public emergency has been declared or a “state of siege” has been imposed by the state authorities.<sup>65</sup> He believes that laws yield to politics and the latter intends total domination. However, in quite a contrast, Rossiter emphasizes a pro-people special “rule by law” paradigm under normal constitutionalism. Crisis legislation under his “constitutional dictatorship” is based on dire necessity and third-party appraisal as well as oversight and sunset clauses in consonance with due process, fair trials, and procedural reliability. Moreover, it contains a temporary course of actions, pluralistic accountability of such actions, evaluation of the chain of command, repeal by the same appraisal authority,

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<sup>62</sup> *Ibid.*, 2029-30, 2034.

<sup>63</sup> *Ibid.*, 2032-33.

<sup>64</sup> *Ibid.*

<sup>65</sup> Rossiter, *Constitutional Dictatorship*, 96-109.



prohibition on extension, and post-operative normalcy of the rule of law.<sup>66</sup> Similarly, Ackerman formulates a novel constitutional device, recognized as a “supra-majoritarian escalator”<sup>67</sup> to appraise the powers of an “un-commanded commander”<sup>68</sup> when acting in a “black hole” amid public emergencies.<sup>69</sup> Dyzenhaus believes that it is intended to convert the “black hole” of public emergencies into a “grey hole” when a minority of legislators deliberately file petitions in court to examine the constitutional validity of special crisis legislations.<sup>70</sup> Under such an unusual purview, the judiciary examines them into two spheres: macro and micro.<sup>71</sup> The former deals with its maximalist locus of judicial review of legislation, whereas the latter deals with its minimalist locus of judicial review of administrative actions.<sup>72</sup> Yet, Dyzenhaus indicates further that neither the maximalist nor minimalist locus is capable of avoiding human rights abuses in either the “black hole” or “grey hole.” As the latter with partial legality is even more perilous to civil liberties as governments are usually capable of incorporating indemnities and executive discretions in exceptional legislations and giving them constitutional protections. Moreover, governments have extensive discretions to declare pre-emergency exceptional situations or to declare a public emergency. Likewise, it is always up to the subjective satisfaction of governments, first to determine the scope and threshold of crisis and second to legislate accordingly. In this scenario, the judiciary can neither invalidate such special laws on the touchstone of the constitution nor can it scrutinize the executive prerogatives, as the law itself gives them protection. Thus, Dyzenhaus believes that neither Rossiter’s nor Ackerman’s model can assert itself in the presence of legislative supremacy to declare “rule by law exceptionalism.”<sup>73</sup>

Yet a question arises here: whether Pakistan has experienced or is experiencing a mild or severe state of exceptionalism? If so, then is it understood through pro-administrative responses like Schmitt’s political necessity and Dicey’s doctrine of “rule by law” or confronted with the pro-people rule of law paradigm? The preambles and statements of

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<sup>66</sup> Rossiter, *Constitutional Dictatorship*, 288-306; Dyzenhaus, “Schmitt v. Dicey,” 2012-14.

<sup>67</sup> Dyzenhaus, “Schmitt v. Dicey,” 2016.

<sup>68</sup> *Ibid.*, 2015.

<sup>69</sup> *Ibid.*, 2014-16.

<sup>70</sup> *Ibid.*, 2018.

<sup>71</sup> *Ibid.*, 2019-29. With such “judicialization of politics,” the judiciary not only tilts away from the established norm of separation of powers but also leans into a controversial domain of political question through public interest litigations.

<sup>72</sup> *Ibid.*, 2038.

<sup>73</sup> *Ibid.*, 2035-40.

objects and reasoning of different special criminal laws indicate that Pakistan is not only facing crisis-based exceptional circumstances but also uses a “rule by law” paradigm to confront them.<sup>74</sup> If so, then does it contain a mechanism of procedural fairness to endure a bare minimum of constitutionality that protects the due process of law? As the court observes, “when a law visits a person with serious penal consequences, extra care must be taken to ensure that those whom the Legislature did not intend to be covered by the express language of the statute are not roped in by stretching the language of the law.”<sup>75</sup> Similarly, it declares, “unless a case falls squarely within special jurisdiction, the forum created under special jurisdiction cannot even touch those matters.”<sup>76</sup> Likewise, being aware of the extent of statutory powers, J. Isa acknowledges the emergence of “dark holes” in legal systems during exceptional periods in the case of *District Bar Association Rawalpindi*. Nevertheless, to sustain reasonability, fair play, and justice, he relies upon the due process clause as enshrined in Article 4 of the constitution of Pakistan, 1973 to fill these “dark holes.” He indicates that “the best response to terrorists - to isolate, thwart, and defeat them, is to uphold the principles and rights that terrorists trample underfoot. Those accused of terrorist acts must be subjected to legal due process, an independent court and evidence-based convictions. If we sacrifice our principles and slip, we shall come to face them in their swamp of infamy.”<sup>77</sup>

The question of the actual effectiveness of special yet stringent laws on actors of violent extremism is very crucial, as Glazzard indicates the dichotomy of anti-terrorism laws and measures. He holds that rational men with rational approaches draft such laws and policies with appropriate cost-effectiveness, political practicalities, and constitutionality. However, they usually ignore the irrationality of ideologically motivated men who are supposed to be the subject matters of special measures. As a result, the rule by law approach loses its efficacy to deter suicide bombing and suicidal attacks justified by

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<sup>74</sup> See Anti-Terrorism, Act, 1997 (XXVII of 1997); The Pakistan Army (Amendment) Ordinance, 2007; The Fair Trial Act, 2012; The Protection of Pakistan Act, 2014; The Pakistan Army (Amendment) Act, 2015; The Constitution (Twenty-first Amendment) Act, 2015.

<sup>75</sup> Quoted in Muhammad Afzal and other v. S.H.O. and others, 1999 P Cr. LJ 929 Lahore.

<sup>76</sup> Ibid.

<sup>77</sup> *District Bar Association, Rawalpindi and others v. Federation of Pakistan*, PLD 2015 SC 401; Constitution Petition No. 12, 13, 18, 20-22, 31, 35-36, 39, 40, 42-44 of 2010, doc, 5-8-2015, [http://www.supremecourt.gov.pk/2015/Judgments/Orders/web/user\\_file/File/Const.P.12 of 2010.pdf](http://www.supremecourt.gov.pk/2015/Judgments/Orders/web/user_file/File/Const.P.12 of 2010.pdf), 897.

ethnoreligious extremism. To curb this structural flaw in counter-terrorism initiatives, he espouses holistic pro-people measures such as academic input to formulate philosophical counter-narratives, media campaigns to expose atrocities of armed groups, de-radicalization of violent extremists, and protection of education during armed conflicts through informal means.<sup>78</sup>

### **Social Engineering through Narrative Building and Strategic Communication**

An important yet intangible part of statehood is to establish and maintain state legitimacy amongst its populace under a national ideology. The latter is a wide-ranging system of thinking, beliefs, and premises that provides the foundation of human behaviours, collective actions, and organization to form a nation.<sup>79</sup> The former focuses upon the popular social contract and voluntarily obedience to the law of the land, identified by Hart as “internal obligation.” Such obedience to law is crucial to maintaining certainty, predictability, and order in a society. Accordingly, the state intends to maintain it through different means either through public participation in form of democracy or through subjugation with coercion.<sup>80</sup>

Public opinion and participation perceptions are tailored through primary and secondary means of social control with the help of a master national narrative. These are organized principles in the form of systematic contents crafted by stakeholders possessing structural influence in a given time and space for enhancing prevailing national ideologies. But a question arises here: Which institution is supposed to implant ideologies and subsequent narratives amongst the masses? Stone indicates that teachers are instrumental in this regard, not only to inculcate state legitimacy in the form of indoctrination of ideologies, but also the obedience to the law.<sup>81</sup> Police and other law enforcement

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<sup>78</sup> Andrew Glazzard, “Losing The Plot: Narrative, Counter-Narrative and Violent Extremism,” *International Center for Counter Terrorism-The Hague* (2017): 3-16; Arun Kundnani, *A Decade Lost: Rethinking Radicalization and Extremism* (Enlighten: Claystone, 2015), 22-30.

<sup>79</sup> Thomas D. Grant, “Defining Statehood: The Montevideo Convention and Its Discontent,” *Columbia Journal of Transnational Law* (1999): 405-40; Hubert Heinelt, David Sweeting, and Panagiotis Getimis, eds., *Legitimacy and Urban Governance: A Cross-national Comparative Study* (New York: Routledge, 2006), 1-3.

<sup>80</sup> H. L. A. Hart, *The Concept of Law* (New Delhi: Oxford University Press, 2005), 89-91.

<sup>81</sup> Eric Stokes, *The English Utilitarians and India* (Oxford: Clarendon University Press, 1963), 240-80.

agencies can only impose the laws through coercive means by deterring delinquencies through fear of punitive actions but are not trained to guard cognitive domains.

Another pertinent concern is whether teachers are explicitly mandated to perform this obligation and if yes then through which tools. The answer to the first part is negative since their primary obligation is to teach the assigned curriculum. However, if one looks at the objectives of education which are nation-building, social reciprocity, and human development, then educational intuitions and teachers are viable options. The second part of the query leads this study to the accomplishment of the aforementioned objectives through social engineering and strategic communication. The former is the systematic application of synthesized knowledge to mould cognition and behaviours for the desired action through the targeted audience. The latter deals with the synthesizing process that is employed either way, for propaganda and subversion as utilized by extremists for the formulation of violent narratives or construction aiming to develop state institutions.<sup>82</sup> Strategic communication deals with the perception management of targeted audiences to manage their belief systems and orientations about their socio-political environment. It is a dialectical process between the state and its citizens on constitutional conventions, the legislative process, and policy formulation through premises and doctrines in the form of narrative and counter-narrative discourse to achieve national objectives. Teachers, being catalysts to nation-building, manage not only the above-mentioned synthesis process but also harness popular dialect in addition to faith leaders and politicians.<sup>83</sup> A recent development in Pakistan to formulate a single national curriculum and subsequent teachers' training to inculcate inclusivity, cohesion, and national integration, besides cognitive development of young minds in schools, indicates the same.<sup>84</sup> Likewise, the enactment of the countering violent extremism law in Khyber Pakhtunkhwa signifies

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<sup>82</sup> Christopher Hadnagy, *Social Engineering: The Art of Human Hacking* (Indianapolis: Wiley Publishing, 2011), 34-40.

<sup>83</sup> Alex P. Schmid, "Al-Qaeda's 'Single Narrative' and Attempts to Develop Counter-Narratives: The State of Knowledge," *International Center For Counter-Terrorism, The Hauge-Resreach Paper* (January 2014): 3-5, 9-15, <http://www.icct.nl/app/uploads/download/file/Schmid-Al-Qaeda's-Single-Narrative-and-Attempts-to-Develop-Counter-Narratives-January-2014.pdf>; Sara Zeiger, *Undermining Violent Extremist Narratives in South East Asia* (Abu Dhabi: Hedayah, 2016), 6-11.

<sup>84</sup> Ministry of Federal Education and Professional Training, Government of Pakistan, "Single National Curriculum Implemented Across Pakistan," October 14, 2021, <http://snc.mofept.gov.pk/TopStoryDetail/>.

the role of cognitive management to prevent subversion, violent extremism, and terrorism through non-physical means.<sup>85</sup>

## Conclusion

School and college faculty members at the grass-roots level are instrumental to manage the perceptions and behaviours of students for social control. An incentivized training of teachers on narrative building and civic education through an integrated “ABC” model is crucial for this purpose. It will equip them to account for the out-group feelings in marginalized or disoriented segments as well as to measure societal dissent by engaging their audience. Similarly, by breaking the silence of the audience in their influence areas, they will be able to give a better view of the state, its objectives, and problems. Such a teaching method will change the orientation of students and their peers about the state and its organs. Teachers at this congenial and accommodative phase can give workable solutions in form of a bottom-up participatory approach. It is mostly in form of volunteerism, community participation, conflict resolutions and alternative economy through cardinals of civic education.

The narrative building is identical to legislative drafting for social change and impact. It is akin to the qualitative ROCCIPI (Rule, Opportunity, Capacity, Communication, Interests/Incentives, Process, Ideology) model of legislative drafting that focuses upon existing regulations, the opportunity for change in collective behaviours, the capacity of implementing agency, communication strategy for popular mobilization, targeted institutional and popular psychology, and expected impacts.<sup>86</sup> Identification of the problem and ethnographic fault lines, determinants and contributing variables of the problem, demography and geopolitics of the area, existing circumstances and context, the formulation of an ideology and message compatible with the existing legal and political system, a communication strategy,

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<sup>85</sup> The Khyber Pakhtunkhwa Center of Excellence on Countering Violent Extremism Act, 2021, Act no. XVIII of 2021.

<sup>86</sup> Ann Siedman, Robert B. Siedman, and Nalin Abeysehere, *Legislative Drafting for Democratic Social Change* (London: Klumar Law International., 2001), 177-89, 243-51; M. Rashid Mafzool Zaka, ed., *Drafting and Assessing Legislation* (Islamabad: Pakistan Institute for Parliamentary Services, 2012), 6-91. To find problematic behaviours of deviant segments of society and implanting agencies, the ROCCIPI (Rule, Opportunity, Capacity, Communication, Interests/Incentives, Process, Ideology [of primary role occupant “citizens” and secondary role occupants “implementing agencies”]) model is rallied upon to identify the ideology behind the formulation of laws and to understand cognitive process in which legislative precepts are converted to administrative actions.

effective means and tools of communication, locating socially legitimate activists, expected outcomes and desired change, evaluation of outcomes, and institutionalization of collective change are key components of the narrative building. The core differences between narrative and law are reliance on socially legitimate activists and empathy. The former is more focused on influential members of society to effectively disseminate the message at the grass-roots level without reward or punishment.<sup>87</sup>

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<sup>87</sup> Zeiger, *Undermining Violent Extremist Narratives*, 9-12, 14-15, 18-20.