Abstract:

The ideological contrast between American Republicans and French Socialists alone might give reason to expect very divergent reactions to the terrorist attacks on 9/11 and the Paris terrorist strikes in November 2015, especially since the Bush administration’s actions seemed to have become largely discredited, above all in Western European countries. Puzzling, though, the French response seems to be copied in large parts from the Neoconservatives’ playbook. In both cases we see drastic restrictions of civil liberties only days or weeks after the attacks. The “USA PATRIOT Act” constitutes a central institutional element of the U.S. “War on Terror;” the French legal reactions were also substantial and even include intended changes of the constitution. The day after the attacks in Paris, President Hollande declared that France was at war (“Ce qui s’est produit hier à Paris et à Saint-Denis près du Stade de France est un acte de guerre” – Hollande 14 November 2015).

This paper aims at a first comprehensive comparison, exploring the reactions in a focused and structured manner. Securitization Theory will provide the comparison with a suitable analytical framework to carve out differences and similarities in the immediate aftermath of both situations. Are the parallels as strong as hypothesized or do they only appear so at first glance? In which areas do we find the most substantial differences? In keeping with the theoretical terms and tradition, the emphasis of the paper will be placed on securitizing moves, exposed through discourse analysis, and emergency measures, analyzed through screening of new legal prescriptions (domestic level) and foreign policy decisions. The empirical focus lies on the French case (in light of the well-documented case of the Bush administration).
Introduction

Similarities between the Bush administration and the French government under President Hollande seem hard to find: they operate(d) in different systems of government and their ideological orientation is fundamentally at odds. The ideological contrast between American Republicans and French Socialists alone should give reason to expect very divergent reactions to the terrorist attacks on 9/11 and the Paris terrorist strikes in November 2015, especially since the Bush administration’s actions seemed to have become largely discredited, above all in Western European countries. Puzzling, though, the French response seems to be copied in large parts from the Neoconservatives’ playbook. In both cases we see drastic restrictions of civil liberties only days or weeks after the attacks. The “USA PATRIOT Act” constitutes a central institutional element of the U.S. “War on Terror;” the French legal reactions were also substantial and even include intended changes of the constitution. The day after the attacks in Paris, President Hollande declared that France was at war (“Ce qui s’est produit hier à Paris et à Saint-Denis près du Stade de France est un acte de guerre” – Hollande 14 November 2015).

This paper aims at a first comprehensive comparison, exploring the reactions in a focused and structured manner. Securitization Theory will provide the comparison with a suitable analytical framework to carve out differences and similarities in the immediate aftermath of both situations. Are the parallels as strong as hypothesized or do they only appear so at first glance? In which areas do we find the most substantial differences? In keeping with the theoretical terms and tradition, the emphasis of the paper will be placed on securitizing moves, exposed through discourse analysis, and emergency measures, analyzed through screening of new legal prescriptions (domestic level) and foreign policy decisions. The empirical focus lies on the French case (in light of the well-documented case of the Bush administration). In the subsequent chapter, we provide an overview of the theoretical approach that we employ to compare the two cases, Securitization Theory.

On Securitization Theory

Since the explicit composition of the theory in Security – A New Framework for Analysis, published in 1998, the model has been applied to various issues. The topics with the most applications are the subject of terrorism, especially the so-called War on Terror declared by the Bush-administration (for instance: Buzan 2006; Roe 2008; Salter 2011), and the topic of migration (see, for example: Ceyhan/Tsoukala 2002; Huysmans 2006). Other frequently used subjects are environmental issues (Trombetta 2011), climate change (McDonald 2013), issues of (public) health (Elbe 2006; Sjöstedt 2011) or religion (Vuori 2011). Apart from the

The Framework

The theory comprises several elements and terms used for analysis with the Securitization framework, the most important ones being referent objects, securitizing actors, and the audience. Referent objects are defined as collectives that can be depicted as being existentially threatened and whose survival (at least in their current form) is portrayed as being in danger (Buzan et al. 1998, 21). Traditionally, states or nations are the standard referent objects (ibid.). However, the theory is not confined to the military sector alone (Stahl 2008, 75). Securitizing actors are those entities who declare a referent object as existentially threatened.

“A securitizing actor is s.o., or a group, who performs the securitizing speech act. Common players in this role are political leaders, bureaucracies, governments, lobbyists, and pressure groups” (ibid., 40).

While an individual as well as a group can be a securitizing actors; individuals usually do not act on their personal behalf but represent something which is associated with them. In the case of government officials, they represent government, at least when speaking in their official position. It is important to note that actors can be – and probably are in a majority of cases – groups (ibid., 40). In the case of a government, it is represented by a variety of officials, which can all be regarded as securitizing actor. In order to minimize the possibility of “in some sense arbitrary” (ibid., 37) decisions, Buzan et al. propose to identify securitizing actors by adapting and external point of view. In line with the social constructivist maxim that perceptions matter, the analyst can identify the securitizing actor asking the question: Who do other actors regard as the decisive actor in a particular field? While the state is – in principle – the privileged securitization actor (ibid.), it is nevertheless only one among several “competing actors” in the security area (ibid); a standpoint that emphasizes the Copenhagen School’s differentiated view on the concept of security.

The audience is the entity at which the securitizing move is directed. It is only defined and presented indirectly, by clarifying the distinction between clarifying the distinction between a mere securitizing attempt and successful securitization. If the audience accepts the securitizing act by approving the actors’ arguments for taking emergency measures, securitization is considered successful. Thus, the audience plays a central role in the
securitization process (see also Balzacq 2011, 8). Following Roe (2008, 616), there is a “multiplicity of securitizing audiences” with the “general public” as the standard type. Roe (2008, 620) convincingly makes the case of a duality of the audience. Beside the standard-audience of the general public, he argues that governmental securitizing moves are, in many cases, also directed at national representatives of the parliament. If only one of the audiences can be convinced, this process of partial securitization is coined as “rhetorical securitization” (Roe 2008, 633), whereas in his words, the classic securitization with full approval of the threat as well as the emergency measures poses an “active securitization” (ibid.).

In contrast to judging the general public’s approval or disapproval of the arguments (the degree of approval can be measured by analyzing public opinion polls that include specific questions on the issue and the alleged threat), it should also be easier for the analyst to assess the parliament’s ‘decision’ on the issue, at least in those cases where legislative decisions are necessary to adopt emergency measures.

In order to contrast the two possible ways to deal with political problems, Buzan et al. define issues as *politicized* if they are part of public policy and debate and require actions by the government. Issues are defined as *securitized* if they are pictured and accepted as posing an existential threat requiring emergency measures as well as measures outside the normal ‘rules of the game.’ “[S]ecurity is about survival. It is when an issue is presented as posing an existential threat to a designated referent object […]. The special nature of security threats justifies the use of extraordinary measures to handle them” (Buzan et al. 1998, 21). Whereas the politicization of an issue entails intensified debate and struggle for arguments, with securitization, the opposite is the case: by trying to securitize an issue, the securitizing actor intends to exclude it from public debate to the effect of portraying the planned measures as being without alternative (ibid., 29). Issues that are being securitized are seen as more important and more urgent, therefore they are given top priority as, following the logic of existential threats, every other problem lost its significance if this problem would not be solved first and foremost (ibid., 24).

Having successfully securitized an issue, the securitizing actor can take steps which, in absence of the alleged existential threat and under normal circumstances, would not be accepted by the audience. By declaring a state of emergency, the actor considerably expands his scope of action to confront the existential threat. Examples are the absence of democratic rules and procedures and the constraints of certain rights. In the most commonly applied cases of Securitization theory (cases in which the state is the actor), conceivable measures are the suspension of usually inviolable basic rights, privacy violations, the introduction of
surveillance measures, restrictions of freedom of travel, intensified checks at security-relevant public facilities, railway stations or airports. This list is not complete and shall not imply that every possible action will necessarily be taken when an issue is securitized. It illustrates, however, the significance an international security issue can have when it is accepted as an existential threat. The authors of Security describe the measures that government officials can claim to avert danger in such a situation as going even further, “claiming a right to use whatever means are necessary to block a threatening development” [Italics added by the author] (ibid., 21). These extraordinary measures, far in excess of the regular political boundaries, become possible as a successful securitization overrides the normal political ‘rules of the game’ of this field, thus declaring it “a special kind of politics or as above politics” (ibid., 23).

In Security, the theoretical term of the securitizing move is defined “as discourse that takes the form of presenting something as an existential threat to a referent object” (ibid., 25). For this work, the term is central to the analysis as the research question centers on the possible attempts to securitize an issue. In Securitization theory, the speech act constitutes the securitizing move. “‘[S]peech acts’ […] do not ‘report on things,’ but rather ‘do things’” (Léonard/Kaunert 2011, 57; see also, for example: Buzan et al. 1998, 26). Thus, the “performative nature of language” (Huysmans 2011, 372) is the important characteristic of the act. It is the “specific rhetorical structure (survival, priority of action ‘because if the problem is not handled now it will be too late, and we will not exist to remedy our failure’)” (Buzan et al. 1998, 26) that distinguishes regular political talk from securitizing moves. Furthermore, “in security discourse, an issue is dramatized and presented as an issue of supreme priority; thus, by labeling it as security, an agent claims a need for and a right to treat it by extraordinary means” (Buzan et al. 1998, 26). As Balzacq (2011, 9) explains, the specific language used by the securitizing actors is adjusted to the experience of the audience on the particular issue. Something all speech acts have in common is “a plot that includes existential threat, point of no return, and a possible way out” (Buzan et al. 1998, 33) – so to say, the common denominator of every speech act. In addition, there are specific characteristics to each of the particular sectors.

Similar to the term of the audience, facilitating conditions are mainly important for the analyst to assess the success of securitizing moves. Buzan et al. define facilitating conditions as follows, “[f]acilitating conditions are the conditions under which the speech act works, in contrast to cases in which the act misfires or is abused” (1998, 32). They consist of internal conditions concerned with the speech act, such as the internal logic, semiotic and grammar of
the act, as well as with external conditions regarding the position of the speaker and the context in which the concrete securitizing attempt takes place (Buzan et al. 1998, 32). Being a strong authority on a particular field, for instance, provides the speaker with important benefits regarding the likelihood of success of the securitizing move (Buzan et al. 1998, 33). After all, as Buzan et al. explain, the centrality of the speech act for securitization “does not mean a study of the features of the threat itself is irrelevant. On the contrary, these features rank high among the ‘facilitating conditions’ of the security speech act” (1998, 32). Non-verbal actions and circumstances may create an environment that makes the audience more susceptible to the actors’ arguments that the situation should be viewed as a security issue (McDonald 2008). Balzacq (2011, 13) stresses this point, declaring that

“far from being a departure from constructivist approaches to security, external developments are central to it. [...] to move an audience's attention toward an event or a development construed as dangerous, the words of the securitizing actor need to resonate with the context within which his/her actions are collocated. [...] the success of securitization is contingent upon a perceptive environment.”

Thus, the ‘objective’ circumstances play an important role in the process of securitization. Actors have to advocate security, but their arguments will fall on deaf ears if there is not at least a basis for danger with regard to the issue. The requirements for such a basis, on the other hand, are not very high.

**Securitization in the U.S. after 9/11**

The securitization that took place in the United States in the aftermath of the 9/11 terror attacks (which overlaps with the securitization preceding the Iraq war of 2003) is widely accepted as a prime example of the Copenhagen School’s approach (c.f. Buzan 2006; Donnelly 2013). A range of emergency actions were enacted in the subsequent weeks and months. On the legislative level, the USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act) was adopted by an overwhelming majority in the U.S. Congress. This anti-terror legislative package included measures to restrict civil liberties, additional surveillance, increased border controls as well as widely increased authority for intelligence agencies, and enabled the U.S. to detain suspects of terrorism without due process of law at the U.S. military’s Guantanamo camp in Cuba. The creation of the Department of Homeland Security, under which several of the far-reaching domestic anti-terror authorities were bundled, is directly linked to the events of 9/11 and constitutes an important element of the Bush administration’s institutionalization
of the “War on Terror”. The department still exists and, as of 2016, employs 240,000 people (dhs.gov).

With view to the securitizing moves that – arguably – enabled and justified the above mentioned emergency measures, four distinct lines of argumentation, brought forward in the aftermath of the 9/11 terror attacks, stand out.

First, the Bush administration categorized the **terrorist attacks as acts of war**. On 15 September 2001, President Bush, at Camp David, declared,

> “I am going to describe to our leadership what I saw: the wreckage of New York City, the signs of the first battle of war. Make no mistake about it: underneath our tears is the strong determination of America to win this war. (...) “We're at war. There has been an act of war declared upon America by terrorists, and we will respond accordingly” [italics added by the authors].

After a meeting with German chancellor Gerhard Schröder on 9 October 2001, Bush stated, „The first shot of the new war of the 21st century was fired September the 11th. The first battle is being waged; but it's only one of a long series of battles.” On another occasion, he furthermore noted that the “(Global) War on Terror” would not be a war in the common meaning of the term: „The mind-set of war must change. It is a different type of battle. It’s a different type of battlefield. It’s a different type of war” (Bush 19 September 2001). Secretary of Defense Donald H. Rumsfeld picked up this strand of argument in an Op-Ed in the New York Times on 27 September 2001, noting that “this will be a war like none other our nation has faced. […] Even the vocabulary of this war will be different.” The domestic consequences of such a war were foreshadowed by Bush, as he declared

> “This is a different war from any our nation has ever faced, a war on many fronts, against terrorists who operate in more than 60 different countries. And this is a war that must be fought not only overseas, but also here at home. I recently spoke to high school students in Maryland, and realized that for the first time ever, these seniors will graduate in the midst of a war in our own country. We’ve added a new era, and this new era requires new responsibilities, both for the government and for our people” (Bush 8 November 2001).

The meaning of this strand of argument is crucial. To classify global Islamic terrorism as ‘acts of war’ – as opposed to grave criminal acts – has far-reaching consequences. It means a re-framing of a sociological problem into a military problem. War-like armed conflicts render possible certain counter-measures that would be impossible in peaceful times. Restrictions that are imposed on public authorities to prohibit arbitrariness and abuse of power might be weakened or even temporarily abolished. During times of war, in the most extreme case, everything is subordinate to the goal of prevailing over the enemy. On the domestic field, the
rally-round-the-flag effect often closes the ranks between the opposition and the government in power. After the attacks on the World Trade Center and the Pentagon, George W. Bush benefited enormously from this effect as well as from the omnipresent call for presidential leadership (Rudolf 2005, 10). On an administrative level, the focus of anti-terrorism measures is shifted from the predominantly civilian sphere to primarily military means.

The second strand of argument concerns the orientation towards worst-case scenarios that could be observed in the case of the Bush administration. On 26 October 2001, Secretary of State Colin Powell described the danger resulting from global terrorism as a “threat to civilization” and as a “threat to the very essence of what you do.” President Bush, in his special address to Congress on 20 September 2001, spoke of a “threat to our way of life.” On 8 November 2001, he declared in a speech that “We are the target of enemies who boast they want to kill, kill all Americans, kill all Jews and kill all Christians.” Furthermore, he alleged that “Thousands of dangerous killers, schooled in the methods of murder, often supported by outlaw regimes, are now spread throughout the world like ticking time bombs, set to go off without warning.” Vice President Cheney (9 April 2003), in referring to the ‘weapons’ used on 9/11, explained that

“The attack on our country forced us to come to grips with the possibility that the next time terrorists strike, they may well be armed with more than just plane tickets and box cutters. The next time, they might direct chemical agents or diseases at our population or attempt to detonate a nuclear weapon in one of our cities. These are not abstract matters to ponder. They are very real dangers that we must guard against and confront before it’s too late.”

The meaning of this point is clear: it potentially elevates threat perception and serves to cast an issue as posing an existential threat to a certain referent object. The uncertainty which was connected to the alleged threats and to what might happen if these threats were not eliminated further contributed to the elevation of threat perception. In case of the “War on Terror,” some points stood out in that regard: one argument was that terrorists would destroy liberty and the (Western) ‘way of living’. Another was fear of the use of weapons of mass destruction (WMD), which could have catastrophic consequences if it occurred.

A third strand of argument prevalent in the discourse of the Bush-administration post-9/11 is the construction of a link between terrorism and so-called “rogue states.” In asymmetric conflicts, it is often difficult to identify the enemy clearly: are they insurgents or rebels who, through their armed insurgency, claim political goals such as the independence of a certain region from a state; or to make an occupational power leave a country by violent resistance, or, as may be the case in Islamic terrorism, as a mix between secular goals and religion, which
supposedly justifies the terrorist acts? To make things worse, hybrid versions of these categories are possible, and motives are not always consistent or evident. Even asymmetric conflicts take place on the territories of states – be it the training of fighters or suicide killers in so-called terror-camps, as was the case in Afghanistan and Pakistan, or the planning and execution of plans. To establish a link between terrorist organizations and their ‘host’ countries was one way to justify the missions conducted by the U.S. in these countries.

Already on 11 September 2001, George W. Bush declared in his address to the nation: “We will make no distinction between the terrorists who committed these acts and those who harbor them.” Similarly, he stated four days later, “We will not only deal with those who dare attack America, we will deal with those who harbor them and feed them and house them.” At a press conference on 11 October 2001, Bush made clear that the “War on Terror” would also be targeted at the governments of other states, “A war against all those who seek to export terror, and a war against those governments that support or shelter them.” The argument culminated in the assertion of the Bush administration that certain countries formed the “axis of evil” by supporting terrorism and striving for WMD (Bush 29 January 2002). The argumentation in this point served as a major securitizing move in the securitization of Iraq as an existential threat and played an important role in justifying the Iraq war of 2003.

A fourth strand of argument constitutes the assertion of the necessity for ‘preemptive strikes’. According to this point, threats have to be countered before they materialize, because the gravity of the threat does not allow for a wait-and-see approach. Waiting is not an option, as it would be too late to do something about the threat once it has already occurred. Especially in conjunction with the argument on the potential use of WMD by terrorists or ‘rogue states,’ this strand of argument, which has become known as the Bush Doctrine, served to justify the Iraq war of 2003. George W. Bush, in a speech at the West Point military academy on 1 June 2002, declared that “Deterrence […] means nothing against shadowy terrorist networks with no nation or citizens to defend. Containment is not possible when unbalanced dictators with weapons of mass destruction can deliver those weapons on missiles or secretly provide them to terrorist allies.”
Securitization in France after the 2015 terror attacks

Emergency Measures

To answer the research questions, we begin with an account of the most important special measures adopted in the aftermath of the Paris terror attacks, and explain why these measures pose extraordinary, out of the box instruments which, during “normal” times, would not have been adopted so fast without much prior, long-lasting debate. Thus, the extraordinary character of the measures consists of two distinguishable traits: the first one concerns the content or substance of the measures, while the second relates to the special procedure to adopt them. While the condition of the substance of emergency measures is undisputed, the circumvention of the normal democratic procedure in all instances of securitization is questioned in the literature (Sjostedt 2008, 10). According to this argument, one could still speak of securitization if emergency measures are adopted through the regular political process. We will analyze to what extent both conditions are met in the case at hand.

In a series of horrific terrorist attacks in Paris on 13 and 14 November 2015, 130 people were killed while 350 people were injured (FIDH 2016). In addition to some instant measures directed at the immediate threat in the night during which the attacks occurred (i.a. closing of the airport Paris-Orly, shut-down of parts of the Paris subway system), President Hollande declared the state of emergency (“L'état d'urgence”) in the whole country (continental France as well as Corsica; legifrance 14 November 2015), for the first time in this all-encompassing form since the Algerian war over 50 years ago and hence marking a historic event (süddeutsche.de 16 November 2015). The state of emergency became active at midnight – merely a little over two and a half hours after the first detonations at the soccer stadium Stade de France (reuters.com 14 November 2015). Historically, it was envisioned in order to have an option between the normal circumstances and the state of siege. It needs to be upheld by parliament if it shall be in place for longer than 12 days (LeMonde.fr). The law on which it is based states that it is intended in case of “péril imminent résultant d’atteintes graves à l’ordre public, soit en cas d’événements présentant, par leur nature et leur gravité, le caractère de calamité publique” (ibid.). The promulgation of the state of emergency grants the authorities extraordinary rights to restrict certain civil liberties. The authorities may, among other things, under certain conditions

---

1 The list of emergency measures is long; we do not claim to examine all measures comprehensively but tried to include the most relevant reactions in our analysis.

2 The decree is also signed by Prime Minister Manuel Valls, Minister of the Interior Bernard Cazeneuve and Minister of Justice, Christiane Taubira.
- restrict the free movement of people,
- restrict the access of a person to a particular “departement,”
- deny the right to gather and demonstrate,
- install a curfew for particular individuals,
- close down public and private facilities for a limited period,
- conduct house searches without a warrant provided by a justice (süddeutsche.de).

On 19 and 20 November, respectively, the Assemblée nationale and the French Senate voted almost unanimously to extend the state of emergency for three months (huffingtonpost.fr 20 November 2015). Since then, the state of emergency has been extended three times more, which results in an uninterrupted state of emergency in France since 14 November 2015. Although President Hollande had announced to let the state of emergency expire by 26 July 2016 (bbc.com 14 July 2016), the terror attack in Nice on 14 July induced a change of mind in that regard. Subsequently, the state of emergency was extended for another six months and is scheduled to last until January 2017 (theguardian.com 20 July 2015). Furthermore, the French government pushed “to make the power to declare a state of emergency part of the French Constitution” and advocated for a law that would have made it possible to take away French citizenship from “people with dual citizenship who have been convicted of terrorism-related crimes” (nytimes.com 25 May 2016). Both attempts stalled in the legislative process, however, and were ultimately abandoned. Yet there were other legislative changes that have been approved. These laws grant police and other law enforcement wider authorities concerning the deadly use of force by the police when they encounter terror suspects, the possibility to put suspects under house arrest after their return from conflict areas in Syria and Iraq or additional use of surveillance technology “that had been available only to intelligence agencies” (ibid.). The above-named measures are options that the authorities have at their disposal in a state of emergency. Another question is whether they were used, and if so, how often? A human rights report conducted by international experts sheds light on the practice for the period of time between 14 November and 13 May 2016 (FIDH 2016). The report indeed shows that the emergency measures are being used heavily by the authorities. Summarizing its results in one particular aspect, the New York Times notes that “some 3,600 warrantless searches and 400 house arrests have resulted in a mere six terrorism-related criminal investigations” (nytimes.com 25 July 2016). Of these six investigations only one resulted in a prosecution (nytimes.com 4 August 2016).

In addition to these measures, further steps were taken that can be categorized as emergency measures. First, border controls were reintroduced temporarily in accordance with the
Schengen agreement, which grants the possibility to do so in emergency situations (telegraph.co.uk 16 November 2015). Second, on 17 November 2015, France requested solidarity and support by invoking, as the first member state to do so, the mutual assistance clause of the EU treaty which states that “[i]f a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power […]” (Treaty on the EU, Art. 42 (7)). The terrorist attacks were thus defined in the terms of the article as an “armed aggression on its territory.” Answering this call for EU solidarity, however, does not have to come in form of direct military assistance. In this way, the EU treaty gives (even) more leeway than NATO’s Article 5. Rather than triggering an automated response, the affected country can request aid in bilateral negotiations. In the case at hand, France asked for and was granted support and relief from its European partners in other missions to free the resources deemed necessary to fight the terrorist threat in Paris and beyond. Germany, for instance, pledged to increase its military presence in Mali to disburden France in that country (zeit.de 2015). While Federica Mogherini, as the EU’s foreign secretary, seemed to judge the French invocation of the mutual assistance clause as rather symbolic (“It’s a political act, a political message” (theguardian.com 17 November 2015), the French Minister of Defense, Jean-Yves Le Drian, seemed to have in mind real relief for France’s international commitments, as he stated that “France can’t do everything. It can’t act alone” (ibid.). He further specified that concrete relief may come “by cooperating with French interventions in Syria, in Iraq, it may be in support of France in other operations” (ibid.). It was also unclear whether a call for increased cooperation among EU intelligence agencies could be subsumed under the cited clause. In any case, it remains to be seen whether the French approach of interpreting Art. 42 (7) of the Lisbon treaty as observed in the aftermath of the Paris terror attacks will set a precedent for future cases. In the same vain, it is unclear whether or how it might impact the EU’s Common Security and Defense Policy (CSDP).

On the foreign policy level, France intensified its military commitment against ISIS in Syria, escalating its air campaign against ISIS targets and striking the terrorist organization’s capital, Raqqa (theguardian.com 16 November 2015). In his speech to both houses of parliament on 16 November 2015, President Hollande announced that “France will step up its operations in Syria. […] On Thursday, the Charles de Gaulle aircraft carrier will set sail for the eastern Mediterranean, which will triple our capacity to act.”

3 An alternative for this approach would have been the invocation of Art. 222 of the EU treaty which would have assigned a more active role to the EU commission and thus would have posed a more supranational rather than intergovernmental approach for crisis management (see also theguardian.com 17 November 2015).
As could be observed, the range and scope of measures adopted and enacted since the Paris terror attacks clearly constitute extraordinary measures in the understanding of Securitization Theory. The condition of “substance” can hence be seen as met. What about the procedure in which the measures were approved? It must be acknowledged that, apart from the very first declaration of the state of emergency, all emergency measures were duly approved by democratic means through the Assemblée nationale and the French Senate. The speed and unanimity with which new laws and the state of emergency were adopted, however, raises questions. For instance, the prolongation of the état d'urgence after the attacks of Paris and Nice each took only five to seven days. This clearly poses a case of “actions outside the normal bounds of political procedure” as defined by Buzan et al. (1998, 24), as lawmaking usually requires a lot more time under regular, non-emergency conditions. The fact that the decisions were made with vast majorities in the two chambers of parliament suggests strong political pressure to affirm the executive’s standpoint. In his speech before both chambers of parliament on 16 November 2015, President Hollande stated, with view to the adoption of new provisions of the state of emergency: “And you, parliamentarians, I invite you to vote on them before the end of the week.” Yet, one would go too far to assume that the legislative relinquished its law-making power entirely to the executive in the area of national security. The fact that the government’s plans to change the constitution ultimately failed, due to resistance in parliament, as well as the above named citizenship law, shows that the government was not handed a carte blanche to do whatever it deemed appropriate. The interpretation of the parliament’s role in granting emergency measures is further complicated by the fact that the country’s major opposition party, Les Républicains, is generally regarded as more hawkish with view to national security than the Socialists currently in power. For instance, former President and potential candidate for the presidential elections 2017, Nicolas Sarkozy, made headlines recently by calling for even more drastic measures with regard to countering the terrorist threat, such as mandatory electronic tags for “anyone showing signs of being radicalized” (theguardian.com 20 July 2016).
Securitizing Moves in the French Discourse

Looking at the French discourse after the Paris attacks of November 2015, we note that there is a clear attempt by the French government to securitize the issue. All in all, the speech acts communicate an extreme urgency that is stressed many times. The “way out” (Buzan et al. 1998, 33) is presented in detail by the various concrete emergency measures that are announced in the statements. A few strands of arguments stand out when we take a closer look at the securitizing moves performed by the French securitizing actors. The first one is the striking presentation of the terrorist attacks as acts of war. In a statement issued just one day after the attacks, President Hollande spoke of “un acte de guerre”5 (14 November 2015) that had been committed in Paris. In his speech before both houses of parliament two days later, he stated equally straightforwardly: “Les actes commis vendredi soir à Paris et près du Stade de France sont des actes de guerre.”6 (16 November 2015). Faced with these “acts of war,” President Hollande (ibid.) as well as foreign minister Laurent Fabius (14 November 2015) call for unity and calm (“sang-froid”). Like Bush in 2001, fourteen years later, Hollande draws the conclusion that the type of war and the enemy France is facing is a different, new type of war and a new type of enemy. This, he argues, calls for new ways of dealing with this “emergency”: “Mais cette guerre d’un autre type, face à un adversaire nouveau, appelle un régime constitutionnel permettant de gérer l’état de crise”7 (16 November 2015).

The second strand of argument is related to the depiction of the securitizing subject, that is, the entity that (allegedly) poses an existential threat to the referent object. Unlike in the Bush administration’s “War on Terror” discourse, in which the enemy remained rather diffusely defined (even though it became clear that Al-Qaida was responsible for the attacks relatively soon afterwards), Hollande explicitly and repeatedly names Daesh as the enemy that needs to be fought and eliminated: “Ils [les actes de guerre] sont le fait d’une armée djihadiste, le groupe Daech”8 (ibid.). On the one hand, the state-like qualities of ISIS are stressed when Hollande speaks about this “jihadist army”: “Nous faisons face à une organisation, Daech, disposant d’une assise territorial, de ressources financières et de capacités militaires”9 (ibid.). The terrorist threat is linked to certain regions such as Iraq and Syria, which Hollande calls “la

---

4 Quotes in this subchapter are quoted in the French original due to the importance of linguistic nuances in (securitization) discourse analysis. The English translations that are provided in the footnotes are obtained from official transcripts provided by the French government.

5 “an act of war”

6 “The acts committed in Paris and near the Stade de France on Friday evening are acts of war.

7 “But this is a different kind of war, we are facing a new kind of adversary. A constitutional scheme is needed to deal with this emergency.”

8 “They [the acts of war] are carried out by a jihadist army, by Daesh”

9 “We are facing an organization, Daesh, which has a territorial base, financial resources, and military capabilities.”
plus grande fabrique de terroristes que le monde ait connue" (ibid.), but also the Sahel and Central Africa (ibid.; cf. Le Drian 20 January 2016). Yet, the states themselves are not described as “rogue states,” but rather as victims of terrorism themselves. Terrorism could thus be interpreted as the enemy of statehood itself. However, this does not mean that military intervention is obsolete in these states. For instance, according to Hollande the interventions in Mali and Iraq became necessary to fight the terrorists’ destruction of state sovereignty (cf. 16 November 2015). He also proclaims that “Le terrorisme, nous le combattons partout là où des Etats sont menacés pour leur survie même.” On the other hand, analogous to the discourse following 9/11, the enemy is described as essentially barbaric, uncivilized and thus fundamentally different from the Self. This essentialization is represented in Hollande’s statement that “[…] nous ne sommes pas engagés dans une guerre de civilisation, parce que ces assassins n’en représentent aucune” (ibid.). Literally, the terrorists are contemptuously depicted as “lâches assassins” and “barbares.”

Hollande portrays the reference object France as being existentially threatened. Yet, it is not only his own country that is threatened, as he declares that “[n]ous sommes dans une guerre contre le terrorisme djihadiste qui menace le monde entier et pas seulement la France” (ibid.; see also Fabius 16 November 2015). As he further remarks, France has been attacked as it embodies certain values: “ce que nous défendons, c’est notre patrie, mais c’est bien plus que cela. Ce sont les valeurs d’humanité” (14 November 2014); “la France est toujours une lumière pour l’humanité” (16 November 2015). France and its whole way of life, its l’art de vivre, its love of culture, sport and celebrations, its diversity, are at stake:

“Vendredi, c’est la France tout entière qui était la cible des terroristes, la France qui aime la vie, la culture, le sport, la fête, la France sans distinction de couleur, d’origine, de parcours, de religion. La France que les assassins voulaient tuer, c’était la jeunesse dans toute sa diversité. […] Ce qui a été visé par les terroristes, c’était la France ouverte au monde. Plusieurs dizaines d’amis étrangers font partie des victimes, représentant dix-neuf nationalités” (ibid.).

10 “Syria has become the largest breeding ground for terrorists that the world has ever known.”
11 “We are fighting terrorism wherever the very survival of States is under threat”.
12 “It cannot be said that we are engaged in a war of civilizations, for these assassins do not represent one”.
13 “cowardly murderers,” “barbarians.”
14 “We are in a war against jihadist terrorism that threatens the entire world, not just France.”
15 “what we are defending is our homeland, but it’s much more than that. It’s the values of humanity”
16 “France has always been a beacon for humankind”.
17 On Friday, the terrorists’ target was France as a whole. France, which values life, culture, sports, celebrations. France, which makes no distinction as to color, origin, background, religion. The France that the assassins wanted to kill was that of its young people in all their diversity. […] What the terrorists were attacking was the France that is open to the world. Among the victims were several dozen of our foreign friends, representing 19 different nationalities.”
This young, open-minded and sophisticated France described by Hollande is the complete opposite of the uncivilized barbarism which is ascribed to the terrorists. While the assassins are linked to Daesh, which itself is described as being centered in Syria, and can thus be characterized as an external threat, Hollande has to concede that at least some of the perpetrators were French nationals: “Nous le savons, et il est cruel que d’avoir à le dire, ce sont des Français qui, vendredi, ont tué d’autres Français”18 (ibid.). However, the French President does not use this remark as a starting point for dwelling on political or social reasons or structures that might lead to the radicalization of young French citizens, but rather depicts them as isolated cases of criminal minds who do not really belong to France. “Vivent sur notre sol des individus qui, de la délinquance passent à la radicalisation puis à la criminalité terroriste”19 (ibid.). The offenders are not perceived as being a product or part of the French society and they must not be part of this society in the future. Consequently, Hollande calls for the possibility to strip terrorists of their French nationality, even if they were born in France.

While the description of the enemy as a well-organized army on one hand, and uncivilized on the other seems contradictory at first glance, in the context of securitization, it allows the construction of a highly dangerous foe which needs to be eliminated at all costs. The high degree of organization multiplies the threat and the term “army” fits well into the narrative of the “War on Terror;” the depiction of the enemy as “barbaric” and devoid of any culture is necessary to fundamentally alter the enemy from the referent object that represents liberal values. In this context, the proclaimed necessity for total destruction of the foe20 (and far-reaching emergency measures) in order to ensure the survival of the referent object becomes clear. In his address to both chambers of the French parliament on 16 November 2015, Hollande made use of this kind of argument in a very pronounced manner. Several times during his speech, he spoke of the necessity “de détruire Daech.”21 Renouncing the possibility to contain ISIS, he declared: “Il ne s’agit donc pas de contenir, mais de détruire cette

18 “It hurts to say it, but we know that these were French people who killed other French people on Friday.”
19 “Living here in our land are individuals who start out by committing crimes, become radicalized, and go on to become terrorists.”
20 The concept of the “certainty-effect” might go a long way in providing an explanation for the apparent tendency of securitizing actors to promise the total elimination of a threat (even though common sense and the experiences with the “War on Terror” suggest that this is impossible) through the proposed emergency measures. It means that for the sure avoidance of a risk (the occurrence probability is brought down to zero percent), people are willing to pay a relatively higher price (figuratively) as they would be if the risk was merely lowered (by the same amount), but not totally erased. For more on this and other psychological phenomena that are inherent in the process of securitization, see Lucke 2016 (paper presented at the ECPR General Conference, Panel: “Advances in Political Psychology”).
21 “to destroy ISIS.”
organization.” In the closing words of his address, the culmination of this argument becomes apparent in the last paragraph: “Nous éradiquerons le terrorisme parce que les Francais veulent continuer à vivre ensemble sans rien craindre de leurs semblables. (…) Le terrorisme ne détruira pas la République car c’est la République qui le détruira.”

**Discussion**

To summarize the results, we note that there is indeed a list of measures taken by France that can definitely be subsumed under the Copenhagen School’s theoretical term of “emergency measures.” With view to the French discourse after the attacks in Paris it is clear that there are various speech acts that pose “securitizing moves.” Just as the Bush administration, the French government defined the situation as a “war.” Strikingly, both point to the conflict as posing a new, unprecedented kind of war. Going further into the arguments put forward to securitize the issue, both governments relied heavily on identity elements, creating a strong sense of “us” vs. “them.” Thereby, the enemy is clearly defined as “Daesh” in the French case with a clear geographical center in the war zones of Syria and Iraq, while the foes of the Bush administration are rather diffuse, encompassing “terrorists” as well as “rogue states” in several world regions. While both governments proclaim to “destroy” the enemy and thus eliminate all danger emanating from them, the Bush administration’s securitizing moves go further by extremely dramatizing the situation, mostly by way of using worst-case scenarios that work to elevate the perceived level of threat.

So what do we make of this? Against all odds, politicians in 2015, 14 years after 9/11, still proclaim to “destroy” their terrorist enemies once and for all. All in all, there seems to be a powerful self-perpetuating dynamic inherent in the phenomenon of the global “War on Terror.” Reacting in this way to Islamist terrorism is not limited to a particular country or bound to a particular culture but is rather widespread. By witnessing the events of 9/11 and the reactions in its aftermath, publics (at least in the West) seem to have been primed and new instances of terrorism easily initiate a cascade all too familiar from past occasions in this regard: successful securitizing moves and emergency measures in the area of domestic politics as well as with view to security- and foreign policies. The institutionalization of the “War on Terror” and the embedment of national and/or regional securitizations of different

---

22 “There is no question of containing it. This organization must be destroyed.”

23 “We will eradicate terrorism because the French want to continue to live together without fearing anything from their neighbours. […] Terrorism will not destroy France because France will destroy it.”
forms of terrorism that can be observed today fit quite well into the macro-securitization framework outlined by Buzan (2006; 2008; see also Buzan/Wæver 2009). He states that

“the explicit ‘long war’ framing of the GWoT [Global War on Terror] is a securitizing move of potentially great significance. If it succeeds as a widely accepted, world-organizing macro-securitization, it could structure global security for some decades, in the process helping to legitimize US primacy” (Buzan 2006, 1102).

While the latter assertion seems questionable (is the “War on Terror” really helping the U.S. to maintain its status as the world’s only superpower?), the “War on Terror,” even if it is called something else now, is still very present and forms a lasting element in world politics.

The list of states that invoke the alleged necessity to fight terrorism to justify and legitimate important parts of their security- and foreign policy is long. In 2016 alone, one could name the U.S, France, Germany, Russia, Turkey, Saudi-Arabia, Syria, Iraq…In this context, it would probably take active opposition by government officials and politicians to resist the public expectation of taking extreme emergency measures when a country falls victim to a major terrorist attack. Moreover, the threshold for securitizations in this area is arguably lower due to the long history of the “War on Terror” and its well-established messages. Besides that, the external facilitating conditions for a continuous securitization are certainly given. Buzan (2006, 1107) remarks that “[e]asily the most obvious type of event to influence the durability of the GWoT securitization will be the success of Al-Qaeda and its imitators and successors in sustaining a sufficient level of attacks and provocations to feed the securitization.” Although there has not been a single terrorist attack that has exceeded the death toll of 9/11, the attacks conducted by ISIS have taken on a new level of cruelty and horror and thus created ample opportunities for actors to securitize the issue.

So what does this mean for the case at hand? Whether or not the benefits of the extraordinary measures justify the collateral damage (directly, in the form of wrongly suspected persons, or indirectly, as a form of collateral damage to liberty and democracy in France) is, of course, a political question. At least initially, the securitization of the French version of the war on terror seems to be successful: in polls, more than two-thirds of the public support the invocation of the state of emergency (nytimes.com May 25 2016).

Yet, the French approach has drawn harsh criticism, such as that expressed by the New York Times editorial board, stating that “These changes will do nothing to help France fight terrorism — it already has sweeping counterterrorism laws — and may do permanent damage to the very things the Islamic State wishes to destroy: France’s democratic freedoms and its social cohesion” (nytimes.com 25 July 2016). The newspaper is also concerned by the alleged misuse of police authority: “[T]he state of emergency has been abusively used to put
environmental and labor-law activists under house arrest” (ibid.). Furthermore, it sets
dangerous precedents with regard to the sensitive line between “normal politics” and the state
of emergency. It gives political figures elsewhere an excuse and makes it easier to justify
disregard for the rule of law in times of crises. In his 2006 article, Buzan (2006, 1104)
oberved that some countries use the “War on Terror” in this way: “In the case of Russia,
China, Israel and India, the move has been to link their own local problems with ‘terrorism’ to
the wider GWoT framing.” Already, Turkish Deputy Prime Minister Numan Kurtulmus is
quoting the French precedent after his country declared the temporary suspension of the
European Convention on Human Rights after the failed military coup (independent.co.uk 21
July 2016). This should not come as a surprise.
References

Secondary Sources


independent.co.uk 21 July 2016. *Turkey suspends European Convention on Human Rights in wake of attempted coup*. Available from


Primary Sources


