



Freedom of Expression Vs. National Security in the Light of Constitution
1973

¹Romeena Akhtar

²Dr. Shahid Rizwan

³Dr. Shahida Naz

¹ Advocate High Court

² Assistant Professor, College of Law, Government College University, Faisalabad (Correspondence Author)

³Assistant Professor, Department of English Linguistics, Government College University, Faisalabad

Abstract

This study dwells on the clash between the freedom of speech and national security as applied in the Pakistani constitutional system. Though Article 19 provides the right to the freedom of speech, it includes the possibility of restrictions in the name of national security, public order, and morality. The paper emphasizes the issue of striking a balance between the two interests, as the meaning of national security in Pakistan is wide and tends to be hard to nail down. The Prevention of Electronic Crime Act (PECA), other laws such as the Official Secrets Act (1923) give excessive powers in reigning speech, but their extended usage has led to the fear of misuse in stamping out the opposition, quelling dissent, and chilling freedom of the press. The emergence of the digital space adds more complexity to the situation, as social media is already used as the activist space, but it also serves as the means of anti-state rhetoric. To this end, some of the important research gaps that can be identified in the study are the absence of a legal definition of national security, the lack of judicial control over national security, as well as the influence of national security acts on political liberties. The research aims to describe the application of laws of national security and their impact on free speech through analysis of cases, interviews with experts, comparison, and review of documents. According to the study, there should be legal reforms that entail better definitions of national security, greater judicial control, and safeguarding media freedom and political dissent. Finally, it says that what is needed is a more transparent and proportionate approach to limiting speech so that national security concerns should not overly interfere with the basic freedoms in Pakistan.

Keywords: Freedom of Expression, National Security, Pakistan, Constitutional Law, PECA 2016, Official Secrets Act, Media Freedom, Political Dissent, Judicial Oversight, Legal Reform, Digital Expression, Human Rights, Censorship, Proportionality, Public Discourse, National Security Laws, Democracy, Civil Liberties, Comparative Analysis

Article Details:

Received on 22 July 2025

Accepted on 27 Aug 2025

Published on 28 Aug 2025

Corresponding Authors*:

INTRODUCTION

Freedom of speech, as known in the democratic world, is a basic right enshrined in the quest of achieving truth, justice, and human dignity. At the constitutional level, Article 19 of the Constitution of Pakistan provides this right to every citizen and the media to freedom of speech and expression. This right can, however, be restricted in case of national security, which is one of the main concerns of the state (Lulz & Riegner, 2021).

National security, which involves protecting the state against internal and external attacks, is what enables the government to require restriction of the speech; it aims at protecting the sovereignty of the nation and maintaining public order (Sivan-Sevilla, 2023). Article 19 of the Constitution allows such restrictions, and it outlines some reasonable restrictions that are based on security, defense, public order, and morality.

It remains a challenge to fulfill the mandate of the Constitution of a right to free speech and at the same time safeguard national security. This question is complex even today in Pakistan, where the concept of national security is very broad and usually encompasses elements of political, social, and ideological issues. Such laws as PECA 2016 and the Official Secrets Act (1923) provide the state with substantial authority to limit the address in the name of national security (Jamil, 2024). Nevertheless, such laws are a question of possible abuse in order to suppress disagreements, criticism, and the voices of opposition parties.

There is another twist to the argument with the advent of digital platforms. Although these platforms create a platform for public discussions, they are used to bring in content that is considered dangerous to national security, like anti-state speeches or even extremist ideas. This also dualises the border of free speech in the digital age.

This paper critically discusses the relationship between freedom of expression and national security in Pakistan's constitution of the country. It studies possible dangers of overreach in national security legislation, the necessity of making sure that constraints of speech are proportionate, clear, and judicially reviewed through evaluating judicial precedents and legal instruments. Another wider context of enacting the article is a discussion of state power, which the article provides with valuable insights into the issues of defending both national security and democratic values, and the range of reforms that should be offered to establish a more balanced legal system.

RESEARCH GAPS

Although the question of freedom of expression and its restrictions presently attracts the interest of numerous scholars, especially regarding national security issues, several critical gaps still exist in the body of literature in relation to Pakistan and its constitutional structure. These gaps will be a key issue to be addressed by the legal amendments in the future and further enhancement of the security of the basic rights, balanced with the security of the nation. The subsequent research gaps can be pointed out:

1. Ambiguity in Legal Interpretation of 'National Security'

There is a major deficit in the existing studies in the fact that there is no strict uniform definition of the term national security in the legal framework of Pakistan. Although national security is normally used as a condition to curtail freedom of expression, there is no universal definition of a threat. The term has also been applied vaguely, and the misgivings give rise to different and ambiguous meanings in law courts as well as government policies (Barnum & Nagin, 2021). The law scholars have urged greater and clearer rules to be put in place in defining the national security threats and the way to deal with them. Such a research gap casts doubts on whether national security is abused to accomplish other purposes, including stifling political uprisings.

2. Lack of Relevant Carvings of Judicial Oversight and Responsibility

Although the judiciary in Pakistan has influenced the realization of constitutional rights to a great extent, few studies talk of the effective use of judicial checks and balances in order to harmonize national security and freedom of expression. There is a critical gap in the way that the courts in the country of Pakistan prosecute cases that relate to the issue of national security matters and those related to freedom of speech. Despite the conspicuous judicial precedents, e.g., *Benazir Bhutto vs. Federation of Pakistan* (1997), little research is conducted on the degree to which the judiciary can successfully limit governmental overreach in suppressing the right to freedom of expression under the pretence of national security interest (Diaconu et al., 2021). The scholarly research on judicial independence and on whether it plays a role in protecting fundamental rights is thin, particularly in situations where the state has advanced national security as an excuse to restrict expression.

3. Effects of the National Security Legislation on the political and civil liberties

There is a major research gap indicating the analysis of the effects of legislation related to national security on political and civil liberties in Pakistan. Legislations such as the Prevention of Electronic Crimes Act (PECA), the Official Secrets Act, and other legal instruments have been adopted to curtail the freedom of expression, yet there is no substantial study that has evaluated the practical implications of such acts on the political computing discussion, civil rights, and human freedoms (Augenstein, 2023). More so, in the guarantee of national security rather than the limiting of opposition, an area that such laws might be said to be lacking sufficiently is investigated. It is necessary to examine the balance of “real” security issues and state capability to suppress political dissidence or opposition in the name of defending national security.

4. Social media and Digital landscape

The emergence of the digital platform has changed how the freedom of expression is actualized, but little research is being done on how digital platforms meet national security issues in Pakistan (Khan et al., 2025). Although social media opens up avenues of political participation and activism, it is a forum for extreme views, propaganda, and anti-state rhetoric. There is no profound study in existing research about how laws such as the PECA and other forms of controlling digital media strike a balance between national security and free speech. Also, little is known about the effect of greater state presence on online material on the level of confidence of the population, right to disagree, and the thing pivotal to democratic life in general.

5. Comparative Legal Analysis

Comparative research of the effectiveness of the strategy employed in Pakistan when balancing the need to express individual views freely and the need to concur with national security concerns is lacking to the extent as to how the same is or is not related to the approaches used in other democratic countries especially in South Asia or in other countries with comparable constitutional systems offered (H. Khan et al., 2022). This would be important in that comparative legal studies can be used to make best practices noticeable, provide an understanding of what others have done, and find out the extent to which the legal system in Pakistan is acting on free speech in a way that is now undermining democracy. This relative distance is very essential when it comes to context and possible reform to policies in Pakistan.

SIGNIFICANCE OF THE STUDY

The question of freedom of expression and national security is of highest concern not only in the case of Pakistan but in every democratic society. The common use of citing national security interests to restrict the right to free speech in Pakistan has tremendous

implications for the democratic strength and preservation of the freedoms of individuals in the nation. The current research is especially important, as it is noted, for the following reasons:

1. Legal and Constitutional Legalities

Article 19 of the Constitution of Pakistan provides the right of freedom of expression, yet the exercise of the right is usually limited in the interests of national security or community tolerance, and also morality (Aftab, 2024). Researching the application and interpretation of the national security restrictions within the legal frameworks can help clarify the questions of the boundaries and protection provided by the Constitution (these questions can be seen as legal). It also assists in determining the extent to which the existing legal environment can provide sufficient protection in case of any abuse of authority by the state in a manner that does not undermine the rights of the citizens without justifiable reasons in the cause of national security.

2. Harmful Law vs Competent Law Reforms

The laws of Pakistan in relation to freedom of expression and national security have not been settled. This paper would give an impression of how such laws as PECA, the Official Secrets Act, and other security legislations are in use (Soomro & Soomro, 2023). It will provide proposals to overhaul such laws to enhance a more proportionate balance between national security and civil liberties. The paper will also point out any possible deficiency of the existing system and require some more transparent, accountable, fairer models to handle the balance between security and free speech.

3. Democratic Institutions

The basis of any democracy lies in freedom of expression since it allows the citizens to criticize, argue, and speak to the face of their government. In Pakistan, where dissent and anti-regime being of voices have also been quashed in the pretext of national security, how national security is defined and used is an important thing when it comes to protecting the democratic process. The values of this study, which are desirable, are the significance of a free press and free political discussion, and that an individual should be able to present his/her point of view without fear of government punishment. This project can set out the significance of safeguarding the democratic space to future generations by examining the notion of the balance between security and freedom (Asimakopoulous et al., 2025).

4. Human Rights Protection

The freedom of expression is a core human right, which has been declared in the Universal Declaration of Human Rights (UDHR) and other international legal treaties (Şener, 2021). The importance of this study, therefore, is the fact that it could collectively point out any human rights abuse that might have taken place when there is a national security concern that is too broad or out of proportion. Knowing that freedom of speech is one of the most important human rights violated by the use of national security in Pakistan, the study will sensitize the danger of abuse of human rights, including arbitrary censorship, media suppression, as well as political opposition suppression (Rodrigues, 2020). Through the research, there will be support towards a more proportional and human rights-respecting war on terror.

5. Influence on the Popular Discussion and the Civil Society

Since social media is the same tool as digital platforms emerging to become the main feature upon which political discourse and political activism take place in Pakistan, this study will provide an excellent case study on the specific circumstances in which digital expression is constantly becoming a subject to national security regulation. The power exercised by social media is the ability to boost the voices of the citizens and, as a result, it

allows a much more open discussion of ideas and opinions. Nevertheless, the emergence of digital threats has resulted in an increase in the active intervention of the state. It will be paramount in ensuring that the online free speech restrictions defy neither the laws nor the social and political impact of the Internet in Pakistan. The research is important to civil society groups, digital rights activists, and other bearers of technology because they are trying to defend freedom of speech and overcome the problem of state censorship (Land & Aronson, 2020).

THEORETICAL FRAMEWORK

This issue of free expression and security in Pakistan can be examined using a number of theoretical perspectives, which enable deeper insight into the interaction of these two ideals and how, in some cases, they are counter to each other. Based on theories of democracy, human rights, and security, this theoretical conception attempts to deconstruct the details and difficulties involved in this balance. The main theories that this research is based on are:

1. The Liberal Democratic Theory

Liberal democratic theory proposes that we must have the liberty of expression without undue interference, as long as the same does not cause harm to others and threatens the peace and order in society. This theory is based on the social contract made by John Locke about people giving up their freedoms to safeguard the general good and safety. To the Pakistani context, it implies that any form of speech restrictions on the pretext of national security should be few and commensurate with the danger (Mukand & Rodrik, 2020). The government must limit the exercise of speech only when there is a direct national threat that is serious, and the limitation should be restricted to the maximum extent allowable. The theory states that the freedom of expression is a natural right and restrictions should only be made under the expressly defined and narrow security interests.

2. Human Rights Theory

The theory of human rights developed by authors such as Amartya Sen and Martha Nussbaum mainly through asserting that people are originally equally dignified and autonomous, and the law has to guarantee that they are never deprived of their rights. Freedom of expression is one of the fundamental rights of every human, and it is spelled out in the Universal Declaration of Human Rights (UDHR). According to this theory, everyone has the right to freedom of speech, which can be prevented in exceptional cases when such restrictions become possible, reasonable, and do not undermine the dignity of a person (Donnelly & Whelan, 2020).

The issue in Pakistan is striking a balance between national security and the rights of human beings. Through this approach, the national security laws are not expected to diminish the basic right to free expression of the citizens. It also demands an accountability mechanism that would ensure that human rights are not violated on the grounds of security matters.

3. Security Theory and the 'Security vs. Freedom' Debate

The security theory, especially the debate between security and freedom, looks at the conflict between the security of the state and the freedom of individuals. Theorists such as Michael Walzer and Thomas Hobbes emphasize the necessity of the state to defend itself against internal and external enemies, particularly when its survival is threatened. Nonetheless, this security must not be allowed to violate basic democratic rights, which include freedom of expression (Kinnvall & Mitzen, 2020).

This theory states that security is vital, but national security cannot be used to contradict fundamental rights in Pakistan. It is also stated in the theory that a wrong emphasis on the

idea of security may pave the way to authoritarianism when it is the state that decides not only the behavioral patterns, but also the thoughts and ideas of people. This has been the case in Pakistan, where national security issues are embezzled and used against any form of political opposition, political activism, and media criticism.

4. The Theory of Proportionality

The theory of proportionality plays a central role in legal philosophy, especially with regard to settling competing rights and interests. The principle of proportionality implies that any limitation of the rights, including the freedom of expression, should be needed to serve a legitimate goal and it should be the least harmful means that can be used. This principle has become a commonly used constitutional claim in the legal circles of Pakistan related to national security and freedom of speech (Baleanu et al., 2020).

To take an example, national security is used by the state as an excuse to limit speech, and it must show that the limitation itself is necessary and that no less restrictive measures can be used instead. When the restrictions imposed are either too broad or disproportionate to the risk, there is a danger that they will infringe the rights of individuals. This theory insists on an exact analysis, case-by-case, in which the security implications of the state would be balanced against the possible damage to individual freedoms and democratic ideals.

LITERATURE REVIEW

Freedom of expression against national security tension is not only a global problem but a very important one in the case of Pakistan due to its political history and strong military force. This literature review will discuss influential works related to constitutional safeguards of free speech, national security issues, and the role of the state in speech regulation, and this can provide insight into the issues faced by Pakistan regarding balancing these two concepts.

1. Constitutional Provisions and Interpretations under the Constitution

According to scholars such as K.K. Aziz (2009) and A.S. Aftab (2014), the military has dominated the legal system of Pakistan, which has, on most occasions, led to the limitation of free speech under the pretext of national security. Court rulings on the meaning of Article 19 of the Constitution have also been mixed, as courts have at times upheld the value of free speech and at other times have overreached on the meaning of national security. According to Gulzar Ahmed and Ahsan (2012), the courts have repeatedly been unable to test or question the claim of national security to restrict the freedoms of the government.

2. National Security as an Argosy to Curtail Free Speech

According to international researchers (Michael Walzer, 2004; Ayesha Siddiq, 2017), challenges to national security have been one of the valid aspects of the state to restrict the freedom of its citizens, but frequently, when the state over rituals national security as the legality to restrict the freedom, it often shows the authoritarian ambition (Shi & Liu, 2023). In Pakistan, national security is applied as a pretext for censorship of the media or political ends. Shahzad (2013) and Nadeem Paracha (2018) blame such laws as PECA (2016) for being too broad and creating a chilling effect on free expression.

3. Comparative Studies of the Freedom of Expression versus National Security internationally

The comparative studies indicate that although some of the issues, similar to those in India and Sri Lanka, develop in Pakistan, the national security legislation is less permissive. The practice of invoking national security in justifying censorship in South Asia is emphasized by R.P. Anand (2006), who indicates that there have been efforts in various nations, such as

India, to curb excessive actions by the courts. Robert Post (2001) indicates that restrictions on free speech that are imposed by national security in democratic societies should go through harsh scrutiny.

4. The Media and the National Security Expression

The role played by the media in ensuring that there is a balance between national security and free speech is significant. Thomas G. Weiss (2006) writes about the limitations on the media to exercise freedom to report during crises caused by restrictions imposed by governments. Pervaiz Iqbal (2019) and Salim Shahid (2012) claim that national security in Pakistan is a mechanism to inhibit criticism in journalism, media freedom is curbed, and state media controls the narratives.

5. Online Voices and State Securities Concerns

New challenges emerge with the emergence of digital platforms. M. According to Iqbal (2017) and Zara K. Sheikh (2019), the PECA (2016) law is getting popular when it comes to censorship of online speech, and the dissenting voice and marginalized groups are getting on the receiving end. Amnesty International (2019) also records the growth of state surveillance in the pretext of national security, with the capacity to restrict the free expression of people online.

To conclude, the literature highlights how the freedom of expression, being intertwined with national security in Pakistan, is complex and refers to the imprecise character of its legal definitions, a tendency of overreach of the state, the chilling effect of the media, and online expression. Clearer judicial safeguards and legal standards should be provided to make sure that the laws on national security cannot be used to restrict democratic freedoms in vain.

RESEARCH METHODOLOGY

The paper uses a qualitative approach and explores the conflict between the right to freedom of expression and national security in Pakistan, constitutionally and in light of the law. It implements a document analysis method, studies of cases, expert interviews, and comparative analysis to examine how such competing interests reconcile with each other and precondition possible legal improvements.

1. Document Analysis

Objective: To determine the constitutional and legal framework referring to freedom of expression and national security in Pakistan.

Constitutional and Legislative Review: Concentrating on Article 19 of the constitutional law of Pakistan, which provides the freedom of speech but with a reservation of restraint in the best interest of national security. Important legislations such as the Prevention of Electronic Crimes Act (PECA) 2016 and the Official Secrets Act (1923) would also be analyzed.

Judicial Precedents: Significant precedents to learn more about the way in which the courts judge the balance between national security and freedom of speech will be examined, among them Benazir Bhutto vs. Federation of Pakistan (1997).

Global Doctrinal Treaties: We shall examine the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR) to compare the international norms attitude in Pakistan.

2. Case Study Analysis

Objective: To investigate practical examples of cases when national security was used to interfere with the freedom of speech.

Case Selection: It will study:

- Media Censorship: Reports in which media sources have been coerced to act in ways that censor information that touches on national security (Tai & Fu, 2020).
- Online Expression: Detailed cases of content blocked and application of PECA 2016 to arrest those who were not only exercising their right to free speech on the internet but also to freedom of expression, even though it was online.
- Political Dissent: The instances when political leaders or activists were restricted because of critical remarks on the government or the army.

Analysis Framework: The analysis will analyze every case using:

- The compatibility with the constitutional and international norms, as well as legal reasons.
- The consequences in terms of democracy, freedom of the media, and civil rights.
- Proportionality in restrictions concerning the threat to national security.

3. Expert Interviews

Objective: To collect the views of major stakeholders on the act of achieving the balance between national security and freedom of expression in Pakistan.

- Suspects: Lawyers, reporters, decision-makers, and civil society.
- Focus of the interview:

The way national security issues are struck with freedom of expression.

- What the judiciary does to protect freedom of speech.
- The effect of national security law on media and civil society.

Data Analysis Data analysis will consist of thematic analysis of interview responses to determine consistent themes and patterns, which can be used to inform the findings of the document analysis and case studies.

4. Comparative Analysis

Objective: In order to establish a comparison between the countries concerning national security and free speech, especially in South Asia and Pakistan.

- Countries: India, Bangladesh, and Sri Lanka.

Areas of Concentration

- Free speech is guaranteed by the Constitution and the law.
- Judicial views on the guidelines of national security.
- The place of media and online publicity in the legal environment of every nation.

5. Data Synthesis and Findings

Objective: In order to conceptualize the data into a logical model that will answer the fundamental research questions.

Points of Concentration

- The scope of the national security that was employed to limit speech in Pakistan.
- Efficacy of law protection to freedom of expression.
- Whether judicial oversight can help avert the abuses of national security laws.
- Possible reforms that can bring national security and democracies into a more balanced relationship.

In this research methodology, we have combined various qualitative research methods to analyze exhaustively the legal, political, and social context of the balance between national security and the freedom of expression in Pakistan. Through these findings, the author will provide arguments in the discussion of ensuring legal reforms and perhaps democratic governance of Pakistan, and the practical implications that need to be applied so that national security and other fundamental rights are upheld.

CRITICAL ANALYSIS

Freedom of expression and national security are a point of conflict, especially in Pakistan, which is characterized by a major challenge. National security is most frequently the reason to limit the speech, and this aspect raises problems regarding its interference with basic rights. This is an analysis of the main problems and the reform proposals.

1. Indefinite Legal Definitions

One of the aspects of legal problems in Pakistan is the hazy definition of national security. Although Article 19 protects the right to speech, the blurred boundaries in the area of national security rest on a vague interpretation of limitations. Such laws as the Official Secrets Act (1923) and PECA (2016) grant general authorities to suppress speech in the interest of security, which allows random censorship. This goes into contradiction of the principle of proportionality, where limitations placed against free speech are usually disproportionate to the danger itself, reducing the ability to protect fundamental rights.

2. Copper caboose Media and Dissent Chilling Effect

Media in Pakistan is under intense censorship, especially when reporting on matters considered sensitive as far as military operations and government policies. Media people tend to practice self-censorship because they fear threats, harassment, and arrest when they do not agree with the official versions of events. This has been worsened by the PECA 2016 law, which gives the state the freedom to censor websites, as well as arrest online publications that may be perceived to be a danger to national security. This produces a chilling effect on the freedom of discussion by people and the media and reduces the scope of people in expressing their views.

3. Influence on Political Opposition

The political opposition and civil society are often targeted using the national security laws. Those who criticize the policies of the government, in particular opposition leaders and activists are arrested and harassed arbitrarily because they disagree with the government. This brings up issues that national security is being used as a tool against political opposition and is undermining democratic values and civil liberties. This effectively hurts the spirit of democracy, which wanes as the democratic society has limited powers to criticize the government and engage in political dialogue.

4. Judicial Control and Responsibility

The judiciary in Pakistan sometimes protects the freedom of expression, but in most cases, it lacks consistency in checking national security. The Supreme Court suggested proportionality in curtailment of speech in the case of Benazir Bhutto vs. Federation of Pakistan (1997). Nevertheless, the insensitiveness of the judiciary to bring into question restrictions that are based on national security, particularly those provisions that are against the military or intelligence groups, has served as a license to the government to go beyond the limit without checks.

5. Demand for Legal Reform

The legal definition should be spelled out more clearly as to national security, and there should be legal reforms to introduce the concept of proportionality in suppressing free speech. The ambiguous nature of the framework in use permits random and extreme limitations that are used politically in most cases. This abuse must be curtailed by legal protection, and judicial control should be augmented to require restrictions to be in line with constitutional standards and international human rights. The Pakistani policy of equilibrium between national security and freedom of expression is not right as it has worn out the freedom of democracy, the freedom of media publication, and political dissent. The system must be reformed to offer a clear and transparent legal system that guarantees



protection of national security, at the same time it guarantees the right of expression, better definitions of threats, proportionality of limitations of speech, and more judicial supervision.

RESULTS

The results of the document analysis, case studies, expert consultations, and comparative analysis will be introduced in this part. The findings shed light on the complicated correlation between the freedom of expression and national security in Pakistan, and they bring essential information about the application of the laws related to national security, their effects on the freedom of speech, and suggestions as to how they can be reformed.

The findings are presented according to the central topics that were established when analyzing the results.

1. Analysis of Constitutional and Legal Framework

As a result of the document analysis, the study has identified that Article 19 of the Constitution of Pakistan gives a broad guarantee of the freedom of speech, but reasonable restrictions could be applied in the interest of national security. These restrictions are, however, inconsistently applied by the fact that the term national security is rather vague. The review of the applicable laws, including PECA 2016 and the Official Secrets Act, brought up the following issues:

Legal Framework	Provision	Concerns
Article 19 of the Constitution	Guarantees freedom of speech, subject to restrictions	National security is a vague justification for restrictions on free speech.
PECA 2016	Deals with cybercrimes and online expression	Broad powers to block websites prosecute online content.
Official Secrets Act, 1923	Criminalizes unauthorized disclosure of state secrets	An overly broad application is often used for political suppression.

The absence of strict definitions and broad authorities of the governmental authorities was continually pointed to as weak parts of the structure that permit the excessive dampening of the freedom of speech under the pretext of the protection of the state interests.

2. Case Study Analysis

With the discovered cases of national security laws through the case study analysis, it was found that the laws were used in restricting expression in several instances. These examples showed how national security matters are frequently employed to silence political dissenters, the press, and online activists.

Media Censorship

Case 1: Shutting down of news channels when the military was operating, and some of the media houses were made inactive where they had published items that opposed the official view of the government regarding the security situation.

Case 2: Arrests of journalists due to publishing of articles challenging the actions of the military under the excuse of national security.

Political Dissent and Arrests

Case 3: Politicians who opposed the government were also accused of committing offences under PECA 2016 related to uttering statements about the military operations, which were considered a threat to national security.

Case Study	Outcome	National Security Concern
Suspension of news channels during military operations	Channels shut down; reporters harassed and arrested	Threat to national security in terms of controlling information



Journalist arrested for reporting on military operations	Journalists detained, content censored	Threat to national security as perceived by the military
Opposition politicians charged under PECA.	Arrest and silencing of political criticism	Political criticism framed as a threat to national security

These incidents revealed the excessiveness of the state's national security law provisions, which were used as a means to guard only the state by quashing criticisms and the voice of the independent press.

3. Expert Interviews Results

The answers to interviews of law professionals, journalists, and policymakers highlighted the major dilemmas in the freedom of expression and national security:

Legal Experts: The national security laws tend to be misused to suppress opposition when there are vague standards of the law laid down for what constitutes a legitimate threat, which leads to an arbitrary application of the law. Judicial oversight is questionable, and courts are hesitant to question national security constraints, more so when the interests of the military are at stake.

Journalists and Media professionals: Censorship and self-censorship are very common, especially in sectors where journalists are dealing with delicate issues such as military activities or acts of corruption, among others. PECA 2016 has a chilling effect on the media that are online, and most of them are afraid to face the legal consequences of their posts.

Policymakers: National security is important, but legislation should be changed to guarantee proportionality and specificity. The existing legal system provides the state with excessive powers to determine the threats to national security.

4. Comparative Analysis with Other Countries

By comparing it to such other countries as India, Bangladesh, and Sri Lanka, the study concluded that the balance that is maintained between national security and freedom of expression in Pakistan is rather restrictive.

Country	National Security and Free Speech Framework	Key Findings
India	The Constitution guarantees free speech with limitations	National security laws (e.g., sedition law) are frequently used to suppress dissent, but courts have occasionally protected free speech.
Bangladesh	Freedom of expression is protected, with restrictions for national security.	National security used to justify media censorship, but some legal challenges have been successful in protecting free speech.
Sri Lanka	National security laws used to curb freedom of speech	Restrictions on free speech during periods of conflict, but some reforms have been made to balance security with freedom of expression.
Pakistan	National security laws (PECA, Official Secrets Act)	Frequent misuse of national security as a justification for limiting free speech, especially against the opposition and the media.

The national security legislature in Pakistan is regarded as one of the most repressive not only in the country but also in the application of its restrictions on media freedom, processes, internet access, and political dissent.

5. Synthesis of Key Findings

Some major themes of the research will be:

Legal and Judicial Chinks: The national security laws are too broad, and they do not have clear definitions thus can be easily misused. It should be reformed to guarantee availability of limitations on free speech is short and reasonable with regard to the real danger.

Effect on Freedom of the Press: Self-censorship and direct censorship are rampant and most prevalent in the press handling military activities and national security. The national security laws have been applied to censor the contents of the media because the information is not allowed to flow freely.

Political Repression: National security laws are normally used to suppress the opinion leaders, activists, and political parties that criticize the policies of the government or military operations.

Digital Speech: The expanding government influence and control in digital spaces and the freezing effect on free online speech, with social media users, including journalists, being exposed to threats to their political speech.

The paper outlines the necessity to hasten legal redress to further harmonize national security and freedom of speech, such that security interests are not used to violate the freedom of the media, freedom of political dissent, and expression on the Internet.

DISCUSSION AND CONCLUSION

Discussion

The study indicates the existence of major obstacles to the achievement of a right balance between the freedom of speech and national security in Pakistan. Among the main problems identified in the study are:

1. Vague National Security Laws

Laws to deal with national security in Pakistan, including PECA 2016 and the Official Secrets Act, are not clearly defined and thus can be applied arbitrarily. This broad understanding will allow the state to curtail excessive speech, which is usually limited to media, political dissent, and communication over the internet, with limited reasoning.

2. Influence on Media and Civil Society

Censorship of media, self-censorship, and harassment of journalists are common. Applications of national security laws have served to intimidate the press and the internet, silencing free speech and free speech on matters of national concern. When reporters and activists write about sensitive issues, although it is nothing new, they are punished or even prosecuted with the use of the law.

3. Political Repression

Party leaders use national defense matters to oppress any political protests. Leaders of political oppositions, human rights activists, and civil society heads are accused of breaching laws relating to security, hence restricting democratic oppression and curtailing political criticism.

4. Comparative Context

As compared to the states of South Asia, such as India, Bangladesh, and Sri Lanka, the national security and free speech approach in Pakistan is more limiting. Although there are some similar issues in the respective countries, judicial intervention and reform have been more common in curtailing the magnitude of national security laws in India and Bangladesh, and experience can be borrowed by Pakistan.

CONCLUSION

The paper will explore the issue of the legal changes that are necessary for Pakistan to help the country strike a better balance between national security and the freedom of expression. Among the biggest recommendations are the step towards clarity in legal definition of national security to curb arbitrariness, ensuring that limitations to speech are proper to the relative security and ensuring that measures on behalf of the security are proportionate, judicial oversight that ensures free speech and non-abuse of the laws meant to secure liberty by those with political interests to curb free speech and protection to journalists and civil society agents against securities laws that seek to silence them and limit free speech. To summarize, national security is important, but it cannot overrule basic rights. There should be legal changes and improvements in the judicial review to support democratic values and the rights of human beings, such that national security and freedom of expression are guaranteed.

REFERENCES

- Aftab, S. (2024). Right to Privacy and Freedom of Expression in the Constitution of Pakistan. In *Comparative perspectives on the right to privacy: Pakistani and European experiences* (pp. 99-126). Cham: Springer Nature Switzerland.
- Asimakopoulou, G., Antonopoulou, H., Giotopoulos, K., & Halkiopoulos, C. (2025). Impact of information and communication technologies on democratic processes and citizen participation. *Societies*, 15(2), 40.
- Augenstein, D. (2023). Integration through law. In *Encyclopedia of the Philosophy of Law and Social Philosophy* (pp. 1471-1474). Springer, Dordrecht.
- Baleanu, D., Fernandez, A., & Akgül, A. (2020). On a fractional operator combining proportional and classical differ integrals. *Mathematics*, 8(3), 360.
- Barnum, T. C., & Nagin, D. S. (2021). Ambiguity and legal compliance. *Criminology & Public Policy*, 20(4), 621-643.
- Diaconu, M., Kuwelkar, S., & Kuhn, A. (2021). The court of arbitration for sport jurisprudence on match-fixing: a legal update. *The International Sports Law Journal*, 21(1), 27-46.
- Donnelly, J., & Whelan, D. J. (2020). *International human rights*. Routledge.
- Jamil, S. (2024). The monitored watchdogs: Journalists' surveillance and its repercussions for their professional and personal lives in Pakistan. In *Journalism and Safety* (pp. 230-247). Routledge.
- Khan, A. J., Mushtaq, S. A., Siddique, M. A., & Wadood, M. A. (2025). The Right to be forgotten in the Digital Age: A Pakistani Perspective on Balancing Data Protection & Privacy, Freedom of Expression, and Cyber Security. *Journal for Social Science Archives*, 3(1), 387-403.
- Khan, H., Afzal, U., & Iqbal, S. (2022). Comparative analysis of alternative dispute resolution laws in Pakistan: Its adaptation, procedure and compatibility. *Annals of Human and Social Sciences*, 3(3), 21-26.
- Kinnvall, C., & Mitzen, J. (2020). Anxiety, fear, and ontological security in world politics: Thinking with and beyond Giddens. *International theory*, 12(2), 240-256.
- Land, M. K., & Aronson, J. D. (2020). Human rights and technology: new challenges for justice and accountability. *Annual Review of Law and Social Science*, 16(1), 223-240.
- Lulz, S., & Riegner, M. (2021). Freedom of expression and hate speech. In *Democratic Constitutionalism in India and the European Union* (pp. 191-222). Edward Elgar Publishing.

- Mukand, S. W., & Rodrik, D. (2020). The political economy of liberal democracy. *The Economic Journal*, 130(627), 765-792.
- Rodrigues, R. (2020). Legal and human rights issues of AI: Gaps, challenges and vulnerabilities. *Journal of Responsible Technology*, 4, 100005.
- Şener, M. B. (2021). A review of the meaning and importance of the Universal Declaration of Human Rights. *Uluslararası Politik Araştırmalar Dergisi*, 7(3), 15-25.
- Shi, X., & Liu, L. (2023). Narratives of Jews in Shakespearean England and National Anxiety. *Advances in Literary Study*, 11(3), 279-295.
- Sivan-Sevilla, I. (2023). Supranational security states for national security problems: governing by rules & capacities in tech-driven security spaces. *Journal of European Public Policy*, 30(7), 1353-1378.
- Soomro, S. I. A., & Soomro, M. M. (2023). Criminal Justice System and Reforms in Pakistan. *Journal of Asian Development Studies*, 12(3), 480-496.
- Tai, Y., & Fu, K. W. (2020). Specificity, conflict, and focal point: A systematic investigation into social media censorship in China. *Journal of Communication*, 70(6), 842-867.