

## India Is Getting Ready to Declare Anyone a “Terrorist” Without Due Process

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*The self-professed “world’s largest democracy” is rapidly descending into fascism after the lower house of the Indian parliament passed a bill granting the government the right to declare anyone a “terrorist” without due process, with the potential promulgation of these proposed legal changes to the “Unlawful Activities (Prevention) Act” amounting to an unprecedented campaign of intimidation against the country’s countless critics and even their possible lynching by the “ModiMob”.*

### Silencing Dissent

Most of the world views the US’ post-9/11 promulgation of the “Patriot Act” as the granting of excessive rights to the American government in the name of fighting terrorism, yet scarcely anyone outside of India is aware that the self-professed “world’s largest democracy” is startlingly on the brink of enacting something just as controversial after the lower house of parliament [passed a bill](#) enabling the authorities to declare anyone a “terrorist” without due process. The piece of legislation in question is a [set of amendments](#) to the 1967 “Unlawful Activities (Prevention) Act” (UAPA) that specifically stipulate that an individual who “promotes or encourages terrorism, or is otherwise involved in terrorism” (among other much more obvious actions such as committing terrorist acts or preparing for them) can be designated as a “terrorist” by the state, with this very vague description raising serious concerns in the country that it’ll be abused in order to silence dissent.

### “Civil Death”

The online Indian legal reporting outlet [Live Law](#) noted that existing legislation is already more than sufficient for dealing with members, supporters, and financiers of proscribed terrorist groups, though President of the ruling Hindutva BJP and Indian Home Minister Amit Shah explained that stopping the spread of “terrorist literature”, “terrorist theory”, and “propaganda” is behind his motivation to amend the law and even vowed that “those who work for Urban Maoists will not be spared” either. The website cited several Supreme Court cases proving that “to label a person ‘terrorist’ merely on the basis of speech and thoughts goes against the basic Constitutional canon that speech can be punished only if it gives rise to *direct and imminent violence*” (italics are the website’s own), suggesting that the real intent behind this move is to cause someone’s “civil death”, “with social boycott, expulsion from job, hounding by media, and perhaps attack from self-proclaimed vigilante groups following.”

### The “ModiMob”

Important attention should be paid to the last-mentioned possibility since the “ModiMob” of violent Hindutva “vigilantes” has already been [responsible for the lynching](#) of dozens of people, to say nothing of the hundreds (or [according to some counts](#), even thousands) that were killed in the streets during the 2002 Gujarat riots when Modi was the state’s Chief Minister. It’s because of the “inspirational” influence that he has on these thugs that one can accurately describe them as the “ModiMob”, seeing as how they embody the most extreme vision of the country that their leader is pursuing. Live Law therefore has legitimate reasons to fear that innocent civilians designated as “terrorists” by their government without their right to due process might end up as victims of those ultra-jingoist and religiously radicalized forces. Their horrifying lynching, it should be remembered, would only be because they were accused of spreading “terrorist literature”, “terrorist theory”, and “propaganda” without the right to defend themselves prior to being publicly condemned by their government as “terrorists”.

## **A Response To Referendum 2020?**

Without a doubt, the proposed amendments to the UAPA amount to an unprecedented campaign of intimidation against the country’s many critics, including the diaspora and self-imposed political exiles abroad. Those inside the country risk being killed by the ModiMob, while those abroad might find out that India has requested a “Red Corner Notice” against them from Interpol like they recently [tried in vain](#) to do to Gurpatwant Singh Pannun, the legal advisor of the Sikhs For Justice’s [Referendum 2020 campaign](#) for the peaceful independence of Indian Punjab. In fact, the growing support for the Khalistan cause inside India and abroad might have played a key role in the Home Minister’s decision to put forth the proposed amendments given how much his government fears the movement for the possibility that its [revolutionary 1973 Anandpur Sahib Resolution](#) might eventually [form the core of a alternative nationwide vision](#) to [the current Hindutva one](#) upon experiencing a resurgence in popularity ahead of next year’s planned plebiscite. That would also explain why his explanation about “terrorist theory”, “terrorist literature”, and “propaganda” was so deliberately vague, too.

## **The Way Forward**

Whichever of India’s countless critics these proposed amendments end up targeting if they enter into law, the fact of the matter is that few outside of the country are even aware of this egregious anti-democratic violation of its over one billion citizens’ fundamental human rights. Activists inside of India and abroad should therefore prioritize raising awareness about this issue with international media and the UN, possibly with the support of their elected representatives (which is more applicable in this case for the Western-based diaspora). It’s entirely conceivable that this could eventually succeed to the point of putting serious pressure on the Indian authorities to not abuse the provisions contained in these amendments if they’re put into practice since the rest of the world would be watching very closely, especially if the said activists are continuously working through foreign platforms in order to keep up the heat.

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