

The background of the entire image is a grayscale photograph. It shows the silhouettes of two individuals from the waist up, facing away from the camera. They are holding rifles high in the air with their right hands. The person on the left is holding a rifle that appears to be a standard assault rifle. The person on the right is holding a rifle that has a distinctive curved magazine, possibly a submachine gun. The sky behind them is filled with soft, white clouds against a darker background.

# Beat The Terror

Volume - I

*Pen Acclaims*

**To Dad,**  
**Late Shri Trideep Kumar Roy.**  
**My Inspiration & Mentor!**

**“Beat the Terror!”**

**(Volume -1)**

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**Anthology of,**

**‘1<sup>st</sup> National Article Writing Competition’**

***Powered by,***

**“Pen Acclaims”**

***in association with,***

**“Vidhi Aagaz – Inking your Brain”**



## **Preface**

**A thought that has been enduring in mind when becomes real, is truly an interesting and exciting experience. This book is one such cherished work that has its roots in the persuasion of many authors, contributors and also mentors which has now embellished to become the snapshot of the innumerable efforts put in since months. This book serves to reinforce increased awareness, improved interaction and integration among all of us.**

**As the Editor of this book entitled “Beat the Terror!”, I wish to thank all researchers across the globe, who have submitted their contributions. The main aim of this book is to enhance knowledge among researchers, students and the legal fraternity at large and to provide an opportunity for creative research and multi-level consideration of broader issues related to legal insight from both national and interdisciplinary perspective.**

**It has been indeed a pleasure going through the journey of compiling this book. This maiden issue will surely inspire all of us for a new beginning and enlighten the minds of young scholars with hope, confidence and faith.**

**Happy reading!**

**Dr. Pooja Dasgupta  
Chairperson  
Pen Acclaims**

## **Foreword**

**To all the Readers and Contributors of this book:**

**Bringing innovative strategies to the attention of policy makers and hence empowering the youth has always been a highly essential part of the working of “Vidhi Aagaz”. This book based on the topic “Beat the Terror!”, is a culmination of different insights which highlight alternative viewpoints, development approaches and innovative technologies backed by analysis and information from various experts across the globe. This book is geared to the needs of practitioners. Through this book, we have tried to bridge the gap between new ideas and theories and field trials.**

**However, this masterpiece would not have been possible without the valuable contribution from our avid writers. I wish to express my deepest gratitude to all our contributors for their incessant support and for making this entire event a huge success. The authors in this book have harvested to the core problem of human rights and have cohesively voiced their opinion in the best possible way.**

**Kudos to all authors and novelists!**

**Mr. Gyan Prakash Kesharwani  
CEO  
Vidhi Aagaz – Inking your Brain**

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## **“Removing the Taint of Terror: The Need for Pragmatic Politics and Cooperative Communication”**

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*Government College of Law,*  
*Mumbai*

In Sweden, Greta Thunberg, a 16-year-old schoolgirl began a strike against climate change in front of the Parliament in August 2018. Today, this singular act of dissent has grown to become an international movement called ‘The School strike for climate’ of students from over 100 cities, who skip school and take part in demonstrations demanding faster action to mitigate climate change, every Friday. Calling out rich nations and corporate giants for advancing convenient but false solutions for climate change, they speak in one voice. “No one wants to study or work for a future that does not exist. If solutions within the system are so impossible to find, maybe we should change the system itself. It is our future that is at stake.”, the students opine.<sup>2</sup> In March 2019, Ms. Thunberg was nominated for this year’s Nobel Peace Prize.

In India, Mita Santra, the young wife of a Jawan martyred in the Pulwama attack voiced her opinion against war as a solution to avenge the catastrophe. She was subject to vicious trolling and abuse and even her fidelity as a wife was questioned. In the wake of the suicide bomb attack at Pulwama that killed 40 CRPF Jawans on 14<sup>th</sup> February 2019, the rallying cries for war against Pakistan reached a fever pitch, fuelled by the hyper ventilating media. Anyone who did not support militarised counter-attack was branded an anti-national. Student groups across universities in several parts of the country launched assaults, intimidation and social boycott of Kashmiri students.

Interestingly, India has the world’s largest youth population with 356 million people between the age of 10 and 24.<sup>3</sup> It is also the largest democracy in the world with an ever-burgeoning news media. The fact that this highly digitised, youthful democratic nation has one too many Mita Santras and hardly any Greta Thunbergs is a pivotal question that needs to be addressed. This article seeks to analyse the internal factors that need to be reshaped in order to tackle all forms of terrorism in India, be it religious, ethno-national, naxal, narcotic or environmental.

### **Opportunistic appropriation of the ‘Terrorist’ label**

Rife with social, cultural, political, economic, communal and religious fault lines and sharing boundaries with several politically unstable nations, terrorism is a perennial problem for India. At the eye of this storm that rattles our nation, lies the inability to define the term objectively, devoid of political or ideological biases. In the absence of a precise definition of terrorism, the struggle over the representation of a violent act is a struggle over its legitimacy. The more confused the concept, the more it lends itself to opportunistic appropriation.<sup>4</sup>

With all eyes on Kashmir after the ghastly attack at Pulwama, it would be prudent to begin by analysing what constitutes terrorism and how it is understood, in this zone of conflict. While the ‘pre-emptive non-military strike’ to take out the biggest Jaish-e-Mohammed training camp in Balakot in the Khyber Pakhtunkhwa province of Pakistan was a welcome move, the portrayal and implications of the strike domestically, is questionable. Any question raised

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<sup>1</sup> Leela Jerard Kurian, final year law student at Government Law College, Mumbai.

<sup>2</sup> Rex Weyler, The youth have seen enough - Greenpeace International Greenpeace International (2019), <https://www.greenpeace.org/international/story/20260/the-youth-have-seen-enough/> (last visited Mar 25, 2019).

<sup>3</sup> UNFPA, The Power of 1.8 Billion (2014).

<sup>4</sup> Ben Saul, *Defining Terrorism in International Law* 3 (2006).

regarding the government's claim that more than 250 terrorists were killed the Balakot air strike was immediately discredited as unpatriotic cynicism which would weaken the morale of the armed forces and help the Pakistani narrative. For a proudly and deeply democratic country such as India, this aversion for political confrontation and dialogue is both perplexing and worrying.<sup>5</sup>

The brunt of this unquestionable jingoist fervour is borne by the residents of Kashmir. While clamouring for war and asserting our right over Kashmir, the basic rights of Kashmiris were forgotten. The anti-Pakistan sloganeering slowly slipped into an anti-Kashmir rhetoric which put the lives of many ordinary Kashmiri workers and students living across India at stake. The fact that the 20 year old suicide bomber behind the Pulwama attack was a local Kashmiri youth who was indoctrinated by the Jaish cannot be ignored. But before branding all Kashmiris as terrorists we must ask what leads to these ominous conversions. After years of lull, there has been a meteoric rise in insurgency over the last four years. The demise of politics in the State and the degeneration of the Kashmiri cause has created a mass movement that poses a moral challenge to New Delhi's attempt to frame the Kashmiri argument in absolute religious terms. Even now, no substantial attempt is being made to democratically develop the unique relationship between Kashmir and the Centre.

Creating binaries based on religion is not limited to Kashmir. The hesitation of the government, the media and the opposition to describe Hindutva violence as terrorism reflects the aforementioned opportunistic appropriation. The electoral and partisan intentions which have led to such polarisation are patently clear. The dubious silence of the Parliament and political parties regarding the rampant mob lynching of Muslims, murders of journalists and other hate crimes across the nation is indicative of how we need to redefine our understanding of what constitutes terrorism and how it needs to be countered, before it is too late.

Similarly, Narco-Terrorism is another area which needs immediate attention. Before branding the drug menace as a product of Pakistan's hybrid war tactics, we need to re-examine the measures taken by the Indian state in countering it, domestically. The Narcotic Drugs and Psychotropic Substances Act, 1985, enacted to mitigate the drug problem has consistently failed to deter the ever-burgeoning crisis. Blatantly unforgiving of anyone found in possession of any drug, section 27 of the Act makes consuming any narcotic drug or psychotropic substance a criminal offence. This takes us back to how terror should be controlled and who should be punished: The traffickers, peddlers, mules or users? <sup>6</sup>

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<sup>5</sup> Happymon Jacob, Bringing politics back in The Hindu (2019), <https://www.thehindu.com/opinion/lead/bringing-politics-back-in/article26489017.ece> (last visited Apr 1, 2019).

<sup>6</sup> Neha Singhal, Traffickers, peddlers, mules or users? The Hindu (2018), <https://www.thehindu.com/opinion/op-ed/traffickers-peddlers-mules-or-users/article24392190.ece> (last visited Apr 2, 2019)



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