

Who Gets to Resist? The Politics of Counterterrorism in the United States and India

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Abstract

This paper examines contested definitions of terrorism and resistance, analyzing how the US and India instrumentalize such labels to suppress dissent and monopolize violence. Notably, it is worrisome that state narratives regarding who gets to resist remain dominant, despite national wars on terror being widely criticized. Moreover, it is puzzling that the US and India, states with historically diverging foreign policies, are today converging on security issues. To address these dynamics, this paper employs case studies of the US and India to demonstrate how they use anti-terror laws and framing inconsistently, privileging elite interests over democratic processes. While the US focuses on opposing resistance against allies abroad, India directs aggression domestically, reflecting differences in federal structures and foreign policy ideologies. These findings provide theoretical insights regarding how states with divergent foreign policies can act similarly on matters of national security, offering timely insights into the US and India's management of resistance, revealing systemic mechanisms that reinforce state authority under the guise of counterterrorism.

Keywords: Resistance Movements; Terrorism; Counterterrorism; Foreign Policy; National Security; United States; India

“There is no such thing as political murder, political bombing, or political violence. There is only criminal murder, criminal bombing, and criminal violence.”

Margaret Thatcher, Speech in Belfast, 5 March 1981

Introduction

Defining terrorism is a hotly contested issue in the scholarly and policy area (Norris, Kern, and Just 2003). While some find subjectivity in the ‘terrorist’ label inescapable, others find objectivity possible. This discussion has popularized the debate around the cliché, “one man’s terrorist is another man’s freedom fighter.” While the literature around resistance movements has a broader consensus (Benford and Snow 2000; Hollander and Einwohner 2004), the ramifications of defining “terrorism” are greater. Defining terrorism has legal and practical implications beyond academic debate and discourse. Although terrorism studies exist separately from social movements, the two fields have several overlaps. Groups not deemed as “terrorists” would fall under resistance movements. The important difference is

that the groups falling under the ambit of terrorism studies get treated through more of a “problem-solving” approach than a theory-building one (Stump and Dixit 2011, 200). In recent years, there has been a greater consensus among academics, but practical usage of anti-terrorism law and rhetoric remains problematic (Ramsay 2015).

A growing strand of critical terrorism studies has emerged in direct opposition to orthodox approaches within the field (Jarvis 2024). These interventions—theoretical, methodological, and practical—respond to longstanding dissatisfaction with conventional terrorism research, which has been criticized for its methodological weaknesses, uncritical alignment with state agendas, and tendency to function as “counterinsurgency masquerading as political science” (Jackson, Smyth, and Gunning 2009, 2, 7). Yet despite these critiques, mainstream terrorism studies—both within and beyond academia—continue to dominate discourse, perpetuating normative distortions in how resistance movements are theorized and addressed. Even the Global War on Terror, widely discredited, is experiencing a resurgence, recycling Orientalist narratives with little scholarly pushback (Schotten 2024). Problematically, much contemporary research still serves as an epistemic arm of state power, legitimizing government and mainstream framings rather than critically interrogating them (Silke 2018). Similarly, the fields of International Relations and state behavior have long faced criticism for their underdeveloped theories and concepts (Richard, Smyth, and Gunning 2009, 4). Stronger theoretical frameworks can emerge through interdisciplinary engagement. Richard, Smyth, and Gunning highlight a key gap: the failure to bridge conventional theories with critical terrorism studies. Apart from the academic gap itself, the absence of such bridges polices critical scholars and dehumanizes even suspects of terrorism (Leon-Reyes 2019). In response, this paper focuses on synthesizing existing research and news reports to address this disconnect. While liberal and legal perspectives often attribute policy failures in managing resistance movements to miscalculations or institutional flaws, realist scholars contend that states prioritize survival and security above all else (Morgenthau and Kenneth 1985; Tilly 1992; Jessop 2015). This paper, however, adopts a constructivist lens, challenging rigid categorizations and examining how meanings of terrorism and state behavior are socially and politically constructed.

A constructivist approach to terrorism does not assume the existence of an objectively definable manifestation of terrorism. Instead, it interrogates legal categories, labels, and the processes through which they are applied. Additionally, constructivism emphasizes the situatedness of researchers within the social world, demanding reflexivity in analysis (Stump and Dixit 2011). This paper’s constructivist framework also engages with

international relations theory. Rather than treating the absence of a global governing authority—the condition of anarchy—as an inevitable driver of realist power struggles, constructivism focuses on how states interpret and respond to anarchy (Wendt 1992). Indeed, “the creation of scientific truths is never neutral” and using “truths” uncritically can reify power relations (Martini 2016, 92). That said, this perspective does not dismiss the need for problem-solving approaches in terrorism studies or deny the reality of unlawful violence. Instead, it calls for scholars to remain critically aware of constructivist insights to avoid reinforcing oppressive political narratives.

Hegemonic states systematically employ terroristic modalities—violence, legal exceptionalism, and extrajudicial repression—to preserve their geopolitical interests, routinely transgressing ethical boundaries in the process (Stohl 1984; Jarvis 2024). This manifests most consequentially in the strategic weaponization of counterterrorism legislation, where states deliberately construct malleable definitions of terrorism to serve political goals. Such definitional plasticity inherently undermines legal consistency and human rights protections. To interrogate this phenomenon, I analyze India and the United States (US) as paradigmatic cases: a global power and a rising regional one, respectively. Despite divergent foreign policy traditions—US interventionism versus India’s rhetorical commitment to non-alignment (Mehta 2009; Katju 2020; Siddiqui 2023a)—their counterterrorism strategies have grown conspicuously aligned through strategic convergence via India’s “Westward tilt” and deepening U.S. security cooperation, shared authoritarian tendencies, evidenced by expansive anti-terror laws targeting dissent, and transnational repression of diasporic resistance movements (Ceplair 2011; Malreddy 2014; Sinnar 2019; Suresh 2019; Article19 2024). These convergences present a theoretical puzzle: how can the United States—a globally assertive hegemon with an interventionist foreign policy—align with India, a traditionally defensive power that champions non-interference and non-alignment? Given their divergent strategic traditions, what explains their shared framing of terrorism?

Reviewing the specific cases with relevant theoretical insights reveals that anti-terrorist legislation in the United States and India is often misused or leveraged for rhetorical reasons to suppress political opponents and resistance groups, maintain the state’s monopoly over legitimate violence, absolve themselves and ally states from state terrorism, and practice discriminatory ideologies while protecting the interests of the elite classes. The U.S. and India use anti-terrorist rhetoric to win framing contests against their opponents and maintain a monopoly over legitimate violence, serving various domestic and foreign policy objectives.

As liberal nation-states in the current world order, both policy scopes are underlined by the state's desire to maintain its continuity and monopoly over violence. Meanwhile, foreign policy is also influenced by normative ideologies and relations with the state(s) within which particular resistance group(s) operate. This paper highlights these dynamics by pointing to the US differential treatment of similarly acting Kurdish groups in Turkey, an ally state, and Iran, an adversary state. Foreign policy importance in the Indian context is highlighted through an emphasis on anti-secessionism and power balancing acts based on its relationship with its neighbors, Sri Lanka and Pakistan. Comparing India and the U.S. also shows that domestic and foreign policy responses differ based on the organization of the federal structure and who the government focuses on as its key opponents. Primarily, both states emerge as actors who commit acts of terrorism themselves, one—the US—largely against foreign actors, and the other—India—largely against domestic populations.

Overall, this paper outlines various cases that reinforce the need for critical studies of terrorism. In this process, this paper highlights the US' and Indian political entities' management of dissent and resistance by emphasizing the normative and strategic, not principled, role of anti-terrorist legislation and rhetoric. While this does not constitute original data, it consolidates important interpretations of the chosen cases. Firstly, work that reaffirms the need for critical terrorism studies continues to be important as neither scholarship nor grassroots, legal, or legislative activism have resolved the problems discussed (Saul 2005; Berger 2024; Feyyaz and Bari 2024), with academic and civil liberties in the US deteriorating (Smith 2025). Secondly, exploring the puzzle outlined in the research question through a constructivist lens helps to contextualize the role of institutional structures and the role of states' interpretations of opponents based on their policy style. Finally, studying the US and India with their chosen cases responds to a research call to focus on non-Western contexts in their own right, highlights the role of non-Western populations as more than just mere threats of terrorism, and shows that such non-Western worlds are not waiting for a savior Western world to civilize them but are in their disparate conditions because of them (Barnard-Wills and Moore 2010).

Between Freedom Fighters and Terrorists: The Politics of Labeling Violent Movements

Resistance movements are commonly understood through the conceptualization of contentious politics, where organized parties engage in action against authorities to achieve collective goals (McAdam, Tarrow, and Tilly 2001). This conceptual definition includes many

groups as resistance movements as it also does not discriminate between them based on the means across the spectrum of non-violence to violence (Hollander and Einwohner 2004). Yet, even among resistance movements that employ violence to achieve their goals, not all violence is illegitimate, and only some are considered terrorist in nature. So, what is terrorism? There are two core answers to this question—one based on theory and principles (how it should be classified) and another that merely reflects contemporary political reality (how it is classified). Before exploring these strands, I first outline a simple framework that helps understand violence.

Three core elements help differentiate forms of violence: methods, targets, and motives (Norris, Kern, and Just 2003). Methods usually comprise threat or use of violence against certain targets. Scholars define targets as non-combatants, but states usually prohibit violence against all persons (Chenoweth 2013; Ganor 2010). Kennedy's (2007) understanding of motives renders terrorism as such if they are personal but classifies political motives as freedom struggles, an opinion less common in terrorism discourse. There is broader agreement around the relative irrelevance of motives in defining terrorist acts; terrorism and freedom struggles are not mutually exclusive (Ganor 2010). However, this assertion is less useful in legal contexts where stringent categorization is important. Policzer (2005, 13) describes this nuanced approach as "good sociology but bad law." This reinforces the need to define terrorism through objective and just principles, from the perspective of modern legal practice. Thus, the idea that "one man's terrorist is another man's freedom fighter" is problematic from a legal standpoint.

In practice, most stakeholders use the terrorism classification as a tool of condemnation. Essentially, what terrorism is depends on who is asked. While some may use various conceptual tools and thresholds, for many practitioners the matter may be as simple as knowing it when they "see it" (Bolton 2001, 167). Indeed, in political practice, much of this process of classification is influenced by political alignments and varying sympathies, leading to an "unavoidably subjective" process of labelling an organization as "terrorist" or not (Perry 2004, 254). Consequently, terrorism remains a concept that is "value-laden," "located within broader cultural frames," and partly lies "in the eye of the beholder" (Norris, Kern, and Just 2003, 6). These circumstances further justify and call for constructivist approaches to critical terrorism studies. This section has provided a brief understanding of how the line between condemnable resistance movements—terrorism—and appreciable resistance movements—freedom struggles—is not just blurred but also moved by various stakeholders according to their objectives. In the next section, I specifically explore the legal

structure around terrorism laws, implementation, and the scholarship of critical studies on terrorism.

Terrorism and the State: Selective Definitions, Critical Responses, and the Foreign Policy Nexus

This paper discusses core problems with state definitions of terrorism by identifying its selective (non)use for national interests domestically and abroad. While this approach factors out scholarly debate on what terrorism is, it remains complicated to assess. Thus, it is helpful to identify some core tenets of how states craft and use anti-terrorism legislation. The “methods,” “targets,” and “motives” framework of understanding terrorism best creates the state definition framework (Norris, Kern, and Just 2003). Firstly, there is agreement that some form of violence must be involved that harms or threatens to harm life or property. The controversy in defining terrorism is around identifying the targets. Secondly, most agree that violence must be caused with the intent to advance an ideological, political, or religious cause. Thirdly, some states require that the act be committed systematically or repeatedly to be classified as terrorism. Yet, many definitional issues persist. Terms used within defining terrorism are also further open to interpretation, such as “political, religious, or ideological causes,” “intimidation,” “endangering,” and “exempting dissent.”

Ultimately, states seem to have a more detailed version of the following definition of terrorism: terrorism refers to the (systematic and repeated) deliberate threat or use of unlawful harm/violence against people or property, motivated by political, religious, or ideological goals (Perry 2004; Golder and Williams 2004; Chenoweth 2013). Definitions not explicitly regarding physical violence risk the deterioration of democratic rights of dissent, protest, and industrial action. Generally, state responses to terrorism, especially in liberal democracies, have been understood to substantially reduce public freedoms (Turk 2004; Jackson, Smyth, and Gunning 2009). The emergent critical studies on terrorism oppose these practical outcomes, normative aims, and the orthodox scholarship that has supported it.

There are many temporal and thematic aspects to critical terrorism studies. The most obvious is methodological, which early studies often discussed as conventional terrorism studies lacked primary research (Jackson, Smyth, and Gunning 2009). However, there is also a normative and theoretical aspect—the strand that is of essence to this paper. Critical terrorism studies often illustrate how orthodox studies and governments do not treat resistance movements and terrorism consistently (Ramsay 2015). These studies emphasize critical theory, being independent and exclusive from government agendas or funding (Jarvis

2024). These wider normative purviews also created the belief that trying to define terrorism is rather unnecessary, compared to identifying what makes terrorism as we see it, terrorism (Ramsay 2015). However, in a few brief sentences, Ramsay acknowledges that the international political problem of disagreeing on defining terrorism is a political not academic problem. In the paper's conclusion, Ramsay then notes that despite having exemplars for what terrorism is, the state's monopoly over violence and rhetoric fogs objective understandings of whether terrorism is feared for what it is or whether other things are made to be feared through terrorist labelling. Yet, these claims need to be better connected and asserted throughout studies.

While foreign policy has not gone unnoticed in understanding how states respond to resistance movements, some quirks in modern politics have been understudied. For example, much literature argues that the approach of the US to resistance movements throughout the Cold War had been anti-socialist. This filter even led the US to have a period where it considered Mandela and the African National Congress as terrorists (Stohl 1984; Prevost 2006; Elliott 2019; Morgan 2021). There is also a Western bias in the literature that understudies the politics of Eastern states. Much is known about India's positions on territorial integrity and non-interference (Kasturisinghe 2013) but this knowledge has not been adequately connected to its interactions with resistance movements and anti-terrorism laws. Huddleston (2020, 790) argues that states only recognize foreign secessionist movements "when it benefits them materially or diplomatically" but what are these moments for specific countries and how do they translate into policy and rhetoric?

Finally, critical terrorism studies also aspire to create a distinct interdisciplinary field. Youngman (2018) notes that valuable contributions often come from those who are at the boundaries of fields that overlap with them. However, despite these practical needs and observations, the actual scholarship largely remains within an echo chamber, partly due to the politics of engaging with it bearing higher risks of upsetting institutions and governments (Youngman 2018). These dynamics require extending the political notions briefly noted by Ramsay (2015). This paper synthesizes insights from social movement theory, framing analysis, and international relations. It argues that analyses of state responses to terrorism must incorporate both domestic and foreign policy contexts, alongside the specific characteristics of each governance system.

Research Design

This paper uses case studies to better understand state responses to resistance movements and form connections between these practical insights and scholarship. Information regarding the cases is primarily drawn from existing research and news reports. This approach is fitting for two reasons. Firstly, domestic and foreign policy studies are well-defined, especially regarding India and the US, enabling a clear presentation of material (Lowi 1964). Secondly, the main contributions of this paper are to connect extant information and theories critically, meaningfully, and assertively. Such an objective can be accomplished effectively through case studies (Siggelkow 2007).

India and the US have been selected as cases because of their similarities in treating resistance, especially those which they label as terrorism (Oza 2007; Malreddy 2014; Ide 2017). Malreddy (2014) found the two countries aligned in their reaction to “new terrorisms” of the post-9/11 environment (590). Particularly, Malreddy identified that the similarities in policy and rhetoric between the US treatment of its adversaries and India can be found in how India treats the Maoists and tribal resistance communities. Despite the similarities in the management of domestic affairs, greater divergences exist in terms of foreign policy—the US has been an offensive state while India is a defensive one (Mehta 2009; Katju 2020).

Nevertheless, India has been shifting its foreign policy away from purely defensive tactics that just sought to protect its borders and internal affairs. The Bharatiya Janata Party (BJP) government that has been elected in 2014, 2019, and through a coalition in 2024, undertakes a proactive foreign role on many fronts (Katju 2020). Specifically, they are moving India away from its former non-alignment in favor of what it officially terms as multi-alignment. Although, what is rhetorically explained as multi-alignment practically appears to be a pro-Western tilt (Crabtree 2024; Siddiqui 2023a). Nonetheless, their public rhetoric remains to espouse mixtures of non-alignment and multi-alignment, indicating that the country must tread carefully in its rhetoric. Moreover, India has usually supported self-determination movements, except the ones that affect its own territorial integrity. Conversely, the US is known for opposing resistance movements and propping up coups across decades (Perry 2004). Thus, choosing these countries as case studies provides a reliable pathway to understanding the influence of policy objectives on the use of anti-terrorism law and rhetoric.

In terms of domestic policy, this paper looks at the legal structures in both countries with regard to organized resistance and reviews literature and the event information outlined in media coverage about the chosen cases. For both countries, a revolutionary case is

chosen—so-called communism—and student activism. The aspect of anti-communism in the US is taken for granted in this paper as much work highlighting its role as propaganda and state terrorism has been done (see Stohl 1984; Jackson, Smyth, and Gunning 2009; Schinkel 2013). In the Indian case, the state's dealings with those whom they call Maoists are explored. Salient differences between the US and Indian cases of anti-communism that are relevant to the scope of this article are highlighted in the discussion of the Indian context. Meanwhile, student activist cases are selected through the identification of “contained contention” phenomena—cases where the involved actors are already established and employ means of claims-making that are also “well established” (McAdam, Tarrow, and Tilly 2001, 7). I rely on a more flexible understanding of the actors' institutionalization, finding sufficient histories of student activism as establishment and the formation of negotiating parties as institutionalization.

Here, I review the cases of contentious politics at Columbia University in the US and Jawaharlal Nehru University (JNU) in India. Both universities have an extensive history of student activism and are often under fire by (pro-)government entities as they threaten the status quo (Karat 1975; Denning 1985; Teltumbde 2018; Singh and Dasgupta 2019). If Columbia University may be understood as the “epicenter of protests against Israel” on university campuses in the US, JNU would be accorded a similar status in terms of students dissenting against the incumbent's ultranationalism (Offenhartz 2024). Student activism operates as a contained arena of contention, where activist students, university administrations, law enforcement, media, and government actors occupy distinct—yet often conflicting—roles (McAdam, Tarrow, and Tilly 2001). The US case focus is on anti-Zionism student activism, whereas India's case focus is on dissent against Hindutva nationalism. While anti-Zionism could serve as a comparative case in India —especially given expanding Indo-Israeli collaboration (Essa, 2023)—significant historical and policy differences complicate direct comparison. Although, such differences facing converging outcomes can also leverage non-similar comparative case designs; however, the dynamics of India's approach to the question of Palestine and activism critical of Zionism are still developing at the time of writing. Thus, the selected cases were chosen because their underlying logics demonstrates similar challenges to state authority.

In terms of foreign policy, for the US, its treatment of the Kurdish resistance in Turkey and Iran were selected. This case provides a clear opportunity to study differential treatment based on policy as the Kurdish resistance in both countries operated with similar objectives and strategies; Turkey is a NATO member and US ally while Iran is a long-time

US adversary. For India, finding such neat ally and adversary pairs was difficult. Moreover, India generally espouses non-interference that curtails its activity in other states' affairs. However, it remains more active when the problems are at its borders. For India, the cases of the Sri Lanka-based Liberation Tigers of Tamil Eelam (LTTE) and the independence of Bangladesh are reviewed. The foreign resistance movements chosen for both states are self-determination movements.

Governance, Resistance, and the Terrorism Label: A Comparative Analysis of the US and India's Domestic Policies

This section examines the domestic policy frameworks governing resistance movements and terrorism in the US and India. The analysis shows that the US operates a fragmented, decentralized response system, while India maintains a centralized approach. When combined with broad legal provisions and an inconsistently applied law enforcement framework, India's system facilitates both active and discursive suppression of domestic resistance movements.

Fragmented Federalism and the Rhetoric of Terror in the US

The US system is a complex one where the right hand may not know what the left hand does. In dealing with terrorism, there is more than a right and left hand; several agencies define terrorism themselves and often have their own way of dealing with it. The oldest US definition of terrorism comes from the Foreign Intelligence Surveillance Act (FISA), broadly identifying it as acts that involve or threaten violence to "human life," violate the laws of any state, and involve any form of coercion and intimidation (Perry 2004, 256-257). Later criminal codes and the Patriot Act maintain the political intentions of the definition but specify that the conduct is targeted against a government. Meanwhile, the Federal Bureau of Investigation's (FBI) definition of terrorism also includes the use of force against property. Other specific events are covered by other acts and departments, such as the Terrorism Risk Insurance Act and the Aviation and Transport Security Act (Perry 2004).

Two other important definitions are laid out by the Department of State (DoS) and the Homeland Security Act. The former necessitates that the terrorist actor is a "subnational group" or "clandestine agent" acting "against noncombatant targets" (Perry 2004, 264) while the latter broadly criminalizes harm against "person, property or entity in the US or a US asset abroad" (Perry 2004, 266). These definitions also often require that the actor have ties with a foreign entity, especially when considering international terrorism. These definitions

along with the Patriot Act serve as the beacons of mainstream anti-terrorism legislation in the US today (Malakhov 2022).

These legal regimes create discriminatory state behavior in handling domestic versus international terrorism. The differentiation between domestic and international changes the rights that the government has secured for itself. If it doubts that certain people are prone to committing international terrorism, it reserves a substantially greater right and measures in surveillance against them (Sinnar 2019). Such surveillance has often been done with the fragile premise that those people may have foreign ties that the US may not like, regardless of robust evidence or threat. Such legal regimes have been used by the government to curb civil freedoms, especially of Muslims, even as US citizens, because of supposed traces of so-called foreign ties (Sinnar 2019).

Anti-terrorism legislation is then also applied in dealing with other forms of collective action. For example, applications of anti-terrorism law that consider aggressive leafleting and strategic sabotage of machinery are often used against protestors (Terwindt 2014). The recent wave of student activism targeting universities that fund Israel's occupation of Palestine—as well as government entities complicit in enabling it—exemplifies the contemporary misuse of law and rhetoric. This movement gained momentum in Spring 2023, with escalating protests at Columbia University and other institutions condemning U.S. support for Israel's occupation and genocide. Offenhartz (2024) describes these demonstrations as sparking “a wave of college protests nationwide.” In early 2024, Columbia student activists established an encampment to disrupt university operations and create an educational space, demanding divestment from entities supporting Israel's human rights violations. Instead of engaging with their concerns, the university responded by summoning police to violently dismantle the encampment and arrest hundreds of students (Associated Press, 2024).

What is notable here is that much of the crackdown against student activists comes from the universities themselves—until the escalated political response by the second Trump administration, the most common consequence for student activists was suspension from the university. Indeed, police action and arrests also occur with the entanglement of the university administration (Article19 2024; Attanasio, Offenhartz, and Mattise 2024). These patterns are not new for Columbia, which also faced large student protests in 1968 against the Vietnam War and Columbia's Harlem expansion. But by calling on militarized police forces in 2024, Columbia University broke its own rules by ignoring its senate's unanimous vote against police involvement which was drawing lessons from the historic arrests of the 1968 student protests on campus (Nagpaul 2024).

The US government entities itself had not been directly leveraging its legal system in case of activism on domestic soil. This can be attributed to the lack of effective jurisdiction, the existing cooperation between the state and universities, but also to the lack of need for direct state involvement: Nistrin Elamin (2024) argues that North American tertiary institutions are “mirroring the states they operate in” by refusing divestment demands and prioritizing “profit over student demands and well-being.” Along with this, there is a media apparatus that further protects these institutions and the state’s rhetoric by engaging in propaganda dissemination in line with their collective goals. A wide array of headlines, articles, and talk shows that pretend to have sampled all the well-intentioned experts in discussing student activism collectively interpret student activists as terrorist sympathizers, if not terrorists themselves (Khouri 2024).

Most mainstream media talking points do not diverge from the positions of elite politicians and their contributors. When encampment protests were at a high in the first half of 2024, then President Biden also referred to the divestment demands as “antisemitic protests” (Associated Press 2024). It has largely been difficult for the US government to try domestic entities for terrorism as determining direct foreign connection is difficult—as it often does not exist (Gangitano 2024). However, over time, the state is increasingly involved in cracking down on student activists: in its first moments, the Trump administration codified intent to deport non-citizen student activists through an executive order opposing “pro-Palestinian” student protestors (Shalal and Heavey 2025). This is also a perpetuation of the rhetoric that maintains public antagonism against student activists. Specifically, the pro-Palestine label is rendered as a condemning frame as it gets reduced to antisemitism or support for Hamas, where its status as a US-designed terrorist actor is invoked (Quilantan and Stratford 2024; Beauchamp 2024).

Thus, we see that “anti-terrorism” plays an important rhetorical role for those who wish to oppose student activism to gather support for their opposition. In practical terms, domestic “anti-terrorism” action from the state directly is limited while university campuses and their affiliated militarized police forces carry on that mantle instead. The ecosystem in this phenomenon of contained contention collectively engages in anti-terrorism rhetoric, however, to continue justifying the university’s actions, and increasingly, the state’s direct involvement. As will be demonstrated ahead, the crux of US actions through the anti-terror legal and military regime can be found in its foreign policy. I now turn first to reviewing the domestic political response to resistance movements in India.

Centralized Control and the Repression of Resistance in India

In India, domestic management of so-called terrorism is more actively handled by the Central government and other political actors. While it still plays important roles in mere rhetoric, the legal and political processes against it are more aggressive and proactive than in US domestic politics. India's anti-terrorist legislation is misused to protect majoritarian agendas and persecute minorities and political opponents. The Unlawful Activities Prevention Act (UAPA) is India's most notorious anti-terrorist legislation (Singh 2012). The UAPA criminalizes "unlawful activities," defined as actions (spoken, written, acted) creating or supporting separatism, disrupting the "sovereignty and territorial integrity of India" or "causes or intended to cause disaffection against India"—and "terrorist acts," defined as actions that "intend to" or "are likely to threaten the unity, integrity, security, or sovereignty of India or [...] strike terror in people in India or in any foreign country" (Singh 2012, 15). The broad nature of these definitions set it apart as a notorious domestic policy among better-functioning democracies. Governments throughout time in India have used this legal framework to persecute political opponents and stifle democratic rights of association and dissent (Mate and Naseemullah 2010; Singh 2012; Suresh 2019). Since 2014, the misuse increased substantially and formed double standards where Hindu nationalists were protected for unlawful and even terrorist acts while Muslims were punished even over unproved allegations (Singh 2019).

Similar to the US, anti-terrorism law and rhetoric also play an important role in India in quashing socialist or socialist-seeming forces and anti-establishment student activism. Unlike the US where anti-terrorism is often anti-communism abroad, the Indian government more staunchly opposes communism nationally (Ceplair 2011). While communist-leaning parties and organizations can legally exist, rhetorical attacks oppose political opponents. Scholars find that India's response to 'Maoists' has been influenced by the "new terrorism" discourse that originated in the West post-9/11 period. While the US's war on terror appeared to be against Islamism, India antagonized communism. India interpreted Maoism as "the single biggest threat to the internal security of the nation" and stigmatized the "red corridor" (Malreddy 2014, 590). The state convinced the common public that the Maoists were evil and sub-human through labels like "archaic," "naïve," and "jungle-bound" (602). The state is so opposed to Maoists that even sympathizing with their cause is risky. The Indian government has and does not shy away from using even extrajudicial and inhumane measures to combat those they antagonize to such extremes (Das 2017; Ghoshal 2020). Just like the 'terrorist' label, the 'Maoist' and 'anti-national' labels are also used interchangeably to

have socially condemning effects. It is often left-leaning activists who are arrested, convicted, and suppressed under these laws, even though they may not be Maoists or communists (Ghoshal 2020).

Similarly, India's BJP government does not shy away from using similar tactics against students. India's Jawaharlal Nehru University (JNU) plays an important role in creating socio-politically critical and active students (Karat 1975; Teltumbde, 2018). Particularly, JNU's students oppose right-wing ultranationalism and its divisive effects on Indian society (Singh and Dasgupta 2019). Consequently, matters of fact and material realities are ignored as political actors act against student activists by labelling them with hostile language. Over the years, the BJP government used draconian laws against JNU's student activists that labelled peaceful protests and speeches as sedition, anti-national, or terrorism (Singh and Dasgupta 2019). These labels and legal processes have been defended by the pro-BJP media ecology, reinforcing so-called anti-terror rhetoric as political actors seek to enforce public opinion against JNU's student activism (Chattarji 2019).

The domestic use of anti-terror law and rhetoric by the government in India seems more proactive than in the US. Due to the strength and form of nationalism in India, most people also happily relegate the task of identifying and imposing harsh punishments on so-called terrorists to the central government (Lambert, Unnithan, and Pasupuleti 2020). The Indian context also has a looser hand on the terrorism label; its weight and meaning forming an interchangeable set of words with "anti-nationalism," "sedition," and "treachery," referring to the same or similar things. The differences in these domestic political approaches can be traced to greater access to oppressive draconian laws and governance systems. In India, national security issues like terrorism are managed centrally (Pandey 2015). Meanwhile, in the US, the federal system works better as different agencies take on different roles. Student activism specifically is even more federal as university campuses use their own administration and security forces or cooperate with local police departments. The political, judicial, and police forces in India also act in somewhat inconsistent and politically biased ways because of persisting and strong forms of corruption that prevent adequate and robust checks and balances, enabling and requiring a more robust front in winning framing contests (Sen 2017; Lee 2018). Moreover, the mistreatment and misrepresentation of student activism in the US is far more dispersed than in India where JNU is overrepresented in political discourse, warranting the differing forms of exploration (Yasir 2024).

National Sovereignty and Territorial Integrity: The State, its Friends, and its Adversaries

The degree of proactivity is inverted for the two states in the context of foreign policy, compared to the conclusion made about domestic policy. While both cases illustrate that policy motivations influence responses to foreign resistance movements, India's actions are more consistently tied to domestic and principled considerations. In contrast, the United States frequently pursues unilateral or aggressive policies abroad, with the notable addition of the accelerated erosion of domestic civil liberties during the second Trump administration (Smith 2025).

The United States and the Kurdistan Workers' Party (PKK)

The PKK was founded in 1974 with the initial aim of establishing a Kurdish state. Their goals eventually turned to political reform (Ozcan 2005), and as of May 2025, they are set to disband (Butler and Toksabay 2025). From 1984, they began to use anti-state violence, described as Marxist-Leninist by many (Ozcan 2005; Turk 2020). It was considered a terrorist organization since the PKK leadership fled to Syria in 1980. In these early stages, PKK's progress was underestimated. Eventually, in 1997, the US declared PKK a terrorist organization (Council on Foreign Relations 2022). It is not my intention to be the judge of whether the PKK is indeed a terrorist organization, but as this section will show, despite its similarities with its Iranian offshoot, the two organizations are treated differently as a function of foreign policy.

The US classification of the PKK as a terrorist organization reflects the strategic imperatives of the US-Turkey alliance. State recognition of resistance movements carries significant political costs, as it signals opposition to the targeted state's position (Huddleston 2020). Given the extensive bilateral and institutional ties between the US and Turkey—including NATO membership and potential EU accession—acknowledging the PKK's legitimacy would entail substantial diplomatic consequences for Washington. Initially, US opposition appeared rooted in the PKK's historical secessionist aims. However, following the group's abandonment of these demands and repeated ceasefire declarations, Turkey's continued hostility suggests the terrorist designation serves primarily as a function of international relations (Ozcan 2005). As Kiel (2011, 46) demonstrates, US classification is driven principally by “the close nature of the U.S.-Turkey bilateral relationship.”

While there have been cases where the US actions upset Turkey, they, too, represent an influence on international relations, albeit differently. For example: Turkey expects the

US to deal with PKK in and beyond Turkey indiscriminately. However, the US has been reluctant to do so in Iraq and Syria. Grigoriadis (2010, 62) shows how US presence in Iraq displayed dynamics that seemed as if the US was “unwilling or unable” to combat the PKK in Iraq, even though there were threats of increasing hostilities. This unwillingness stemmed from an aversion to upsetting Iraqi Kurds. This also highlights the role international relations play in dealing with “terrorists.” Several other cases also highlight the subjectivity of dealing with the PKK. For example, Germany hosts the largest Kurdish population currently. Many ascribe the state’s relaxed dealing and dialogues with the PKK to Kurdish nationalism within Germany (Ozcan 2005). Thus, despite the comparative intention of the cases, international differences of the PKK itself highlight the role of foreign policy in the US’s dealings rather than objectivity and coherence.

The United States and the Kurdistan Free Life Party (PJAK)

The PJAK was founded in 2004 by PKK affiliates to operate in Iran. Their aims and methods resembled the PKK’s. The US declared it a terrorist organization in 2009 (Council on Foreign Relations 2022; Bennis 2009). The period between 2004-09 will prove crucial in understanding the US foreign policy motivations. Apart from that, the contrasts stem from the long history of conflict between the US and Iran. The US has interfered and meddled with Iranian affairs for vested interests over eight decades (Erlich 2007). The US treatment of PJAK is part of that trend.

While the Iranian government attributes resistance movements to US operations, their words, like other state actors, are fronts in framing contests. Nevertheless, while their claims were ill-intentioned and unsubstantiated, they are true in the context of PJAK. In an interview in 2009, the former Chair of the President’s Intelligence Advisory Board (2001-05) admitted that the US supported PJAK’s fight against Iran during the Bush presidency. Robert Baer, another former CIA operative tied closely with Northern Iraq’s Kurds, also claimed that the US provided PJAK with intelligence support to protect themselves from Iran (Renard 2008). In 2006, the US Secretary of State sought US\$75 million in extra funds to bolster “anti-government propaganda and opposition groups inside Iran” (Elik 2013, 91-92), highlighting the US’s invasive foreign policy.

The Bush administration’s war on terror plummeted their approval ratings abroad. In Turkey, support for the US counterterrorist measures fell from 34% in 2004 to 14% in 2006. In 2007, Turkish people’s approval of Bush and the US fell to 3% and 9%, respectively. In 2008, Bush’s approval fell to 2% while Obama’s was 33% (Grigoriadis 2010). These

dynamic and contrasting inter-temporal and presidential differences reflect foreign policy's role in (counter) terrorism activities. Alternatively, a proposition claims that PJAK's classification signaled distaste for Iran in a backdrop of issues such as the nuclear program (Zambelis 2011). However, that does not discredit the claim that foreign policy influenced movement classification.

Even when the US declared PJAK as a terrorist organization, official statements did not legitimize Iran's struggles; rather, they focused on Turkey. The US Treasury Undersecretary for Terrorism and Financial Intelligence announced, "we are exposing PJAK's terrorist ties to the PKK and supporting Turkey's efforts to protect its citizens from attack" (Reuters 2009, 3). Considering such differences in international relations, analysts believed that the US will also prevent Iran from conducting anti-PJAK operations while giving a green light to Turkey for anti-PKK ones (Renard 2008). Thus, it becomes clear that international relations are indispensable in how states treat resistance movements.

Foreign policies are often defined by a "ruling elite" (Erllich 2007, 4). Ideally, they should be subject to democratic standards and represent national interests. However, this is not the case; they "confuse national security with corporate/military interests" (4). Such issues manifest in other forms, too. For example, the US often places unmeetable, unreasonable demands on Iran (and other states), and when they are met, different demands surface. Ultimately, they keep shifting the "goalposts" to come up with newer ways to keep winning the "game" (4). This is not to say that the US victims are innocent, nor that the groups discussed in this paper are good or bad; rather, the issues are often abused and exaggerated to serve vested interests. Given the current resistance of Iranians against the government, activists need to ensure that the movement remains Iranian-led and is not hijacked by opportunist states. Ultimately, international relations are not only indispensable in understanding so-called anti-terrorism and terrorism but so are political biases, power dynamics, and influential political actors and stakeholders.

India and the Liberation Tigers of Tamil Eelam (LTTE)

The LTTE is a Sri Lanka-based self-determination movement that resorted to violent tactics to achieve their goals. Their activities were declared terrorist-like and any form of engagement with them was criminalized before even accidental killings at the hands of the LTTE (Nadarajah and Sriskandarajah 2005). This was simultaneous with other parties also threatening the Sri Lankan government, such as the Marxist Party which was only banned once it won an election in 1983 despite having orchestrated an insurrection in 1971

(Nadarajah and Sriskandarajah 2005). Essentially, the political climate among South Asian countries was largely such that secessionism that affected a country itself would lead it to frame the existence of such movements as “terrorism” regardless of (non)violence (Nadarajah and Sriskandarajah 2005, 91). Apart from some minor incidents, news updates, and debates, the LTTE today is largely suppressed and inactive (Sidhu 2023). Yet, the important facets of the geopolitics surrounding their dynamic can be found in earlier years.

While the question of LTTE primarily troubled Sri Lanka, its connections with India’s southern state of Tamil Nadu were not negligible as they shared the Tamil ethnicity. Moreover, during the LTTE’s early years, India also stood by the ethnic Tamils against Sri Lankan oppression by supporting the LTTE (Groh 2019). While diplomatic and rhetorical actions were overt and more public, the military and strategic aspects of their cooperation were carried out covertly (Murthy 2000). However, the tide turned in 1991, when the LTTE assassinated the Indian Prime Minister, Rajiv Gandhi. Rajiv Gandhi’s rule marked a period of Indian politics that opposed the LTTE; during an escalating conflict situation, Rajiv Gandhi authorized an Indian Peacekeeping Force to Sri Lanka that intended to disarm the LTTE, an objective that Gandhi publicly announced (Association for Diplomatic Studies and Training 2015). India’s sociopolitical climate had already been such that Indians value nationalism and patriotism strongly (Singh and Dasgupta 2019). Thus, the LTTE assassinating the country’s key politician further increased the public’s concern regarding secessionism and terrorism, making any such framing more effective.

Consequently, India continued to oppose the LTTE on grounds of terrorism and secessionism, citing a range of reasons, including the need to stabilize Sri Lanka, the assassination of the prime minister, and a fear of separatism affecting the state of Tamil Nadu, too (Kasturisinghe 2013). The LTTE was declared an “unlawful association” under the UAPA in 2019 (The Hindu 2024, par. 2). Under the BJP government, the rhetoric against it was far more nationalistic, referring to LTTE’s and those who sympathize with it as developing “a sense of hate [...] towards the Central government and the Indian Constitution,” engaging in “anti-India propaganda” within and beyond India’s borders (par. 3). The Central government’s position today is no longer primarily about stability in Sri Lanka. While that may be an objective, its most important priority is to protect “the sovereignty and territorial integrity of India” and oppose the LTTE’s “anti-India posture” (par. 8).

India and the Independence of Bangladesh

Likening the Sri Lankan case of separatism on India's borders, the independence from Bangladesh from Pakistan is another such case. Bangladesh sought independence from Pakistan because it underwent oppression tantamount to "internal colonization ... against the backdrop of genocide" (Khan 2012, 254). The Bangladesh Liberation War was triggered by a Pakistani army attack on Dhaka in March 1971, resulting in the leader of the Awami League, the organization that was politically active and respected in East Pakistan, declaring independence as Bangladesh. The war caused a humanitarian catastrophe, leading India to house many of Bangladesh's refugees. India almost immediately declared full support for the Bangladesh liberation movement and provided refuge to refugees and military support against Pakistan (Drong 2016). India chose to look at the Bangladeshi resistance as a fight for freedom, while those who opposed the resistance asserted that they were terrorists or Indian proxies against which the Pakistani government was waging a war against terror (Mahfuz 2009; Quamruzzaman 2015; Rashid 2022).

At the time, Pakistan received much support from the US, despite it recognizing Pakistan's "reign of terror" (Mahfuz 2009, par. 8). Yet, the US continued to view the Bangladeshi liberation guerrillas—the Mukti Bahini—as threats to the US and Pakistani interests rather than forces resisting genocide and exercising their rights to self-determination (Mahfuz 2009, par. 8). This overt and covert diplomatic and military support also meant that Pakistan had a veto-wielding backer in the Security Council. Consequently, this period and case are also important because of the lengths to which then-Indian Prime Minister Indira Gandhi went in foreign diplomacy to aid Bangladesh (Drong 2016). India was even labelled as an "aggressor" by then US president (Drong 2016, 738). Yet, Indira Gandhi continued her foreign visits, even succeeding in compelling the United Kingdom and France to block US-sponsored pro-Pakistan Security Council resolutions (Drong 2016).

While the humanitarian catastrophe and the base for self-determination played an important role in the international community's recognition of an independent Bangladeshi state, there were more national security concerns at play for India. Unlike the case of Sri Lanka, there was no significant threat of loss of Indian territory through an independent Bangladeshi state. There was also no equivalent of an anti-India LTTE. However, a key difference between the two cases is that Indo-Pakistani relations have been turbulent since independence. The two states were practically enemies, having undergone the partition and wars in 1947 and 1965 with various skirmishes in between (Center for Arms Control and Non-Proliferation 2019). With humanitarian reasons as a front, India played an active role in

Bangladesh to oppose Pakistan and secure various objectives that could aid India's position as a regional power with cooperative border states (Haider 2009). Indeed, Indira Gandhi also often appealed in the country's houses of parliament that supporting Bangladesh is important as "they are, like us, fighting against a common enemy" (Drong 2016, 740).

Discussions and Conclusion

The selected case studies offer critical insights into how domestic and foreign policy shape the treatment of resistance or terrorist movements in the US and India, revealing both striking parallels and key divergences. This paper refrains from moral judgments on the movements themselves; instead, it interrogates the ambiguity surrounding their classification and examines the political factors that dictate their portrayal. While scholars have long warned against the subjective maxim that "one man's terrorist is another man's freedom fighter," state behavior often reinforces this very dichotomy—whether to advance the US's foreign policy aims or India's domestic agendas. Ultimately, both nations act to preserve their monopoly on legitimate violence, deploying legal, rhetorical, and coercive tools to align dissent with their strategic interests.

The case study approach in this paper provides important insights in the context of India and the US. However, US domestic politics and international relations are quickly transforming under the second Trump presidency, including a more overt and aggressive national onslaught of domestic civil liberties (Associated Press 2025). This shift includes the misuse of anti-terrorism rhetoric and is likened to the Cold War era suppression of domestic populations (Bacon 2025) or an end to even a vocal commitment to an international rules-based order (Cordall 2025). The arguments of this paper are less applicable to the fast-paced dynamics of this new administration regarding which further critical research is encouraged. Moreover, further research utilizing other methodologies to utilize larger sample sizes can also better understand how various types of foreign policy influence state responses to resistance or terrorist movements (Gerring 2004). The selected cases have some structural similarities that render other collective action contexts out of the discussions. For example, collective action that is less connected to or has not been as common as a so-called anti-terror campaign like feminism and environmental activism may yield other important insights about interdisciplinary connections. The plausibility of differences despite objective information about resistance movements using justified violence versus terrorism further bolsters the argument of this paper. Nevertheless, the specifics of how these dynamics unfold

and the contexts in which other states may act outside realist interpretations of international relations also require further study.

The case of communists and student activism in both countries show remarkable divergences and similarities. Despite the supposed difference in the liberal Democratic party line of the US and the conservative Hindutva party line of India, the rhetoric and actions against student activists and those framed as communists are similar. The domestic political scenarios of India and the US have many similarities. Particularly, attention must be paid to the role of the will of elite classes and economic prospects rather than just the political leanings of the party lines (Singh 2019; Siddiqui 2023b). The monopoly over legitimate violence helps states maintain their core interests—these usually tend to be the maintenance of liberal, bourgeois, or capitalist orders, often guarding the “global superrich” (Stohl 1984; Jackson, Smyth, and Gunning 2009; Schinkel 2013: 13). These theoretical connections and the cases bolster Ceplair’s (2011) argument that the US contemporary anti-terrorism rhetoric is also largely the continued policy of anti-communism.

This discussion shows the importance of interdisciplinary work in not just understanding a seemingly distant, abstract, or macro field, but also one that can provide significant implications for domestic social conditions. In this case, the convergences between Indian and the US politics show that both countries are experiencing a made-up “culture war” that draws attention and movement away from elite-led politics, especially regarding their security policy (Taiwo 2022; Siddiqui 2023b). Essentially, rhetoric is weaponized through framing processes to apply seals of disapproval against so-called terrorists and act in tandem with the country’s law enforcement system to render all violence that is not of the state as “illegitimate violence” (Golder and Williams 2004; Schinkel 2013, 9). The groups they target may or may not actually be committing terrorist acts, that is largely irrelevant; the important question is, are those acts benefitting the state or hurting it? The state acts irrespective of moral standards in ensuring that only its violence is legitimate (Stohl 1984; Policzer 2005).

Thus, it can be understood that states leverage the ambiguity in their legal and behavioral frameworks on resistance movements to manipulate them whenever required (Stohl 1984; Perry 2004; Sanchez-Cuenca and Calle 2009; Ganor 2010; Chenoweth 2013). Within that ambiguity, when groups need to be stamped with the seal of disapproval, the state’s legal and rhetorical machinery acts as a mainstream force in convincing the common public of the government’s agenda (Ozcan 2005; Entman 2010; Reese and Lewis 2009). Thus, applying the ‘terrorist’ label is a political act that carries “strong normative overtones”

that allows states to win framing contests against their opponents (McAdam, McCarthy, and Zald 1996; Norris, Kern, and Just 2003, 6). The differences in the use of mere framing processes versus material violence in domestic versus foreign contexts also reinforces the findings that US foreign policy is disconnected from the democratic process (Erllich 2007) while India's policies are undergoing a drift (Basrur 2023). Both states' domestic and foreign policies are inconsistent, seek to appeal to different audiences, and achieve their own ends that ultimately favor the state and its elites. In this process, their opposition to actual terrorist groups becomes a matter of luck of the draw rather than abidance to consistent values.

Within these political processes, counterterrorism laws, and rhetoric systematically alienate, dehumanize, and radicalize disenfranchised social groups (Onursal and Kirkpatrick 2019). Mainstream research, policies, and discourses on terrorism in the US and India have been dominated by Orientalist and Islamophobic perspectives, resulting in neglecting other forms of political violence, particularly right-wing extremism (Ahmed and Lynch 2021). Notably, states themselves engage in acts that satisfy scholarly definitions of terrorism—as determined by methods, targets, and motives. Following Weber, the modern state is “a relation of men dominating men, a relation supported by means of (considered to be legitimate) violence” (Stohl 1984, 39). This domination manifests in multiple forms.

Firstly, states use conventional and overt strategies of violence and coercion. Secondly, framing processes are used to present state ordinances as “civilizing processes” (Elias 1980, as cited in Schinkel 2013, 9). Drone programs in the Middle East are often legitimized through arguments of lawfare even though they are textbook examples of political economies maintained through terror via physical violence and surveillance, serving as contemporary examples of framing processes (Blakeley 2018). Many counter-terrorism and anti-communism operations are themselves terrorism, too (Stohl 1984; Jackson 2008). Thirdly, international actors may resort to surrogate terrorism. Coined by Stohl, this concept refers to indirect terrorism, where a state supports in any form another state in committing terrorist acts.

States systematically fund terrorist groups in adversary states while opposing similar actors in allied nations (Blakeley 2007; Renard 2008; Lasslett 2012). This dynamic mirrors the concept of cumulative extremism, whereby the creation or magnification of one form of extremism sparks others (Busher and Macklin 2015). In these scenarios, states employ or threaten violence (method), target diverse populations—civilians, combatants, and noncombatants alike (targets)—while pursuing political objectives (motives). Claridge (2007, 52-53) defines state terrorism as “systematic, actually or potentially violent, political,

committed by agents of the state” or their proxies using state resources, “intended to generate fear and communicate a message to a wider group than the immediate victims who are most likely unarmed and unorganized for aggression at the time.” Applied to this framework, both the US and India qualify as state perpetrators of terrorism: the former conducts offensive operations globally through direct action and surrogates, while the latter primarily oppresses populations within its borders.

Foucault’s critical framework helps illuminate how states naturalize these practices. The uncritical acceptance of categories like “terrorism” and “resistance” demands particular scrutiny precisely because of their normalized status (Reese and Lewis 2009, 777; Baert and da Silva 2010). As Foucault reminds us, the present order represents just one historical possibility among many (Baert and da Silva 2010, 202). His analysis proves especially relevant in showing how states instrumentalize social science to justify surveillance and control, constructing modern disciplinary regimes (Baert and da Silva 2010). The historical record demonstrates that states constitute the most prolific perpetrators of terrorism over time (Laquer 1977, as cited in Jackson 2008; Wilkinson 1981; Stohl 1984; Norris, Kern, and Just 2003; Jackson, Smyth, and Gunning 2009; Schinkel 2013).

Addressing this reality requires: developing actor-neutral definitions of terrorism to prevent state exemption from accountability, expanding scholarly focus on state terrorism, and establishing ethical constraints on states’ monopoly of violence. These measures would promote judicial impartiality while imposing morally justifiable limits on state power. Overall, this paper mounts further evidence in the case questioning states’ creation and deployment of anti-terror rhetoric and policy; the specific disciplinary interconnections are theoretically insightful but even more practically pertinent in today’s political climate.

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