



CENTRUM FÜR ASIEN-
WISSENSCHAFTEN UND
TRANSKULTURELLE STUDIEN



UNIVERSITÄT
HEIDELBERG
ZUKUNFT
SEIT 1386

Department of Political Science, South Asia Institute
Lecture Series on Governance and Politics in South Asia

A Trojan Horse for Unrestrained Power? Due Process and Article 22 of the Constitution of India

by Prof. John Harriss

The Constitution of India is very unusual in that it includes, ironically among the fundamental rights, an article that permits preventive detention - Article 22. This has functioned as a kind of a Trojan Horse in the Constitution, serving in the way in which it has been interpreted, even if not in its original intention, to extend executive power, and helping to create a permanent state of exception in which the fundamental rights of Indian citizens are ridden over roughshod. The talk examines the origins of Article 22 in the controversy over whether the right to life and liberty specified in Article 21 should be subject to due process of law, and its implications—most recently in the passage of three new acts concerning the criminal justice system that significantly extend police power.



John Harriss is Professor Emeritus at Simon Fraser University, Vancouver, and a former professor of the London School of Economics. He has researched and written on Indian politics and society over the years since he first travelled to India, overland from Cambridge UK, in 1969. Prof. Harriss is visiting the SAI until 17 May and teaching a class on the Indian Constitution.



Monday, 13th May, 2024



02:15 pm – 03:45 pm, CET



**CATS, Building 4130, Great Lecture Hall,
010.01.05**