

Muslims suspect that they will be intentionally omitted from the NRC, members of historically oppressed communities (e.g., almost 300 million Dalits and Adivasis, slightly less than the entire US population), as well as 100 million-plus migrant workers and poor people, fear that they will be unable to provide the necessary documentation. How are different social groups likely to be affected?

2. What are the implications of the protests for democracy in India? Protesting Hindus and Muslims united in the streets in

*The world then would witness the largest crisis of social exclusion, statelessness, and citizenship in history—potentially dwarfing the crisis in Europe on the eve of World War II.*

an unprecedented overcoming of religious cleavages. Which narratives bind them together and how might these be fragmented? Which frames are deployed to organize the protests and which frames might result in their unraveling? On which competing repertoires do they draw? What do these trends foretell for democratic citizenship in India?

In his article, Mander describes the contested terrain of citizenship in India today. He outlines the clash between Hindu supremacist and liberal democratic conceptions of belonging that have framed debates for almost a century.

Mander's article is followed by three contributions that emphasize the potentially adverse implications of the CAA for India's almost 200 million Muslims (Rehman), 80 million members of indigenous communities (Dasgupta), and 100 million internal labor migrants (Jain and Jayaram). That the CAA has not gone unchallenged is obvious in subsequent contributions that highlight women's role in leading protests (Contractor), the reference to India's constitution in framing the protests (Waghmore), and the role of states in protesting the law (Raman). The conclusion (Halder) distills the broader theoretical lessons for democracy and citizenship posed by the contested reimaginings of belonging in India.

Although protests against the CAA have been stalled due to social-distancing rules during the COVID-19 pandemic, the issue remains relevant to the very conception of citizenship, as suggested by the 2021 elections in the states of West Bengal and Assam. Contests over reimagining citizenship are relevant not only for India but also across the world, where scholars fear that democracy is "backsliding," "receding," or "dying." Despite grinding poverty, gaping inequalities, and recurring civil strife, India has remained a vibrant democracy for much of its 72 years as an independent nation, offering a model—however imperfect—of a postcolonial democracy. The resolution of the ongoing disagreements affects democracy not only for India's future but also for most of the world. ■

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## CONTESTED CITIZENSHIP: STRUGGLES OVER BELONGING

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*This land is mine  
But I am not of this land.*

Kazi Neel, *Miyah poet*

A hundred years have passed since a battle was launched about the country that India would rebuild after the British left its shores. Mahatma Gandhi had returned from South Africa to lead India's freedom struggle. He inspired his people with the vision of a free country that would be inclusive and humane, welcoming people of every belief and ethnicity to be equal citizens with equal rights. This ideal lay at the foundations of the constitution of the new republic. India's first Prime Minister, Jawaharlal Nehru, declared: "We accept as Indian anyone who calls himself a citizen of India." Under the stewardship of scholar-statesperson B. R. Ambedkar, the country's founding Constituent Assembly crafted a constitution built on the ideals of equal justice and freedoms and fraternity.

However, this humane, inclusive vision of citizenship was not accepted by all Indian people. Among its bitter and determined detractors was the Muslim League, which maintained that India was not one but instead two nations: a Hindu India and a Muslim Pakistan. The inclusive idea of India also was vociferously contested by Hindu supremacist groups. Two of these groups were particularly prominent. The Hindu Mahasabha, formed in 1915, was rooted in its identification of India as a Hindu Rashtra (i.e., "Hindu Nation") and belief in the primacy of Hindu culture, religion, and heritage. It argues that Islam and Christianity are foreign religions and that Indian Muslims and Christians are simply descendants of Hindus who were converted by force, coercion, and bribery. The Mahasabha was the ideological and political mentor of the Rashtriya Swayamsevak Sangh (RSS) (i.e., the Association of National Volunteers), formed in 1925 avowedly as a response to the threat posed to Hindus by Muslims and the British. The RSS vision for India was of a nation of natural belonging only for India's Hindu majority, in which Muslims and Christians would be "allowed" inclusion only as second-class citizens.

Since 2014, the Indian people have found themselves at a decisive phase of this same battle. India is led today by people who have spent all of their adult life as staunch members of the Hindu supremacist RSS. They are convinced that the time has

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come to remold India into the muscular, permanently unequal, and resentful nation of their imagination.

To be sure, this decline started much earlier. In the 1980s, vast fractures cracked India's plurality: calamitous communal massacres, regressive mobilization against the rights of Muslim women, and a sense of permanent grievance in the majority Hindu population. In all of these fractures, the self-styled secular leadership of the Congress Party abjectly showed fealty to the most regressive elements of the Hindu, Muslim, and Sikh faiths, cynically (or timidly) allowing the erosion of the core of India's secular republic. The sense of permanent grievance in the Hindu-majority population was based on the discourse that the Congress Party

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followed a policy of "appeasement" of Muslims to secure their votes, leaving Hindus to become second-class citizens in a country that was their natural home. It did not matter empirically that Muslims today are weighed down by chronic development deficits similar to India's indisputably and historically most dispossessed groups, the Dalits (or former "untouchables") and the tribal Adivasis. If they had been "appeased" at a cost to Hindus, this would not be their condition today. The truth is that the Congress Party appeased the most regressive members of both the Hindu and Muslim faiths. Muslim fundamentalists were appeased, for instance, by denying divorced Muslim women the right to alimony based on the claim that this violated Muslim personal law, and by banning Salman Rushdie's novel, *The Satanic Verses*, for its allegedly blasphemous references. Hindu extremism was encouraged by the dangerous, tacit support of the movement to build a Hindu Ram temple and allow Hindus to worship at the site where a medieval mosque had stood. The claim that the mosque was built on the site of a temple marking the exact birthplace of the deity Ram is unproven by historical and archaeological evidence.

There is still no doubt that since 2014, when Narendra Modi was elected Prime Minister, that India has hurtled rapidly and treacherously downward to become a country increasingly dangerous and unwelcoming to its vast Muslim populace, as well as to liberal voices of dissent who speak out to fight for their rights. Elected leaders flaunt hate speech,<sup>1</sup> thereby legitimizing and valorizing bigotry and hatred, which have become the dominant markers of social life. Crowds gather to beat Muslims and Dalits to death in the name of protecting the cow or preventing a Muslim man from having a romantic relationship with a Hindu woman (which they call "love jihad") and then proudly post videos of the murders on social media (Ramani 2017).

In the midsummer 2019 elections—despite economic collapse, mounting farm distress, and unemployment at a 45-year high—the Bharatiya Janata Party government won an expanded mandate. This was interpreted by the leadership as a mandate to implement its alternate vision for India as a country owned, dominated, and controlled by Hindus.

After Parliament passed the Constitutional Amendment Bill in late 2019, India's constitutional structure was finally threatened with collapse because, for the first time, it created a hierarchy of

entitlement to citizenship based on religious identity. The Constituent Assembly had steadfastly rejected the idea that India belonged only to its Hindu majority. However, under this amendment, if people who could not produce the required documents entered India before 2014 from three neighboring Muslim-majority countries—Pakistan, Bangladesh, and Afghanistan—and were of any religious identity except Muslim (and Jew, Bahai, and atheist), they would be accepted as refugees and their citizenship fast-tracked. This means that with the introduction of the National Register of Citizens, the burden to prove their Indian citizenship is thrust on Muslims because they are the only people who will risk statelessness. Creating a class of potentially stateless

people exclusively because of their religious identity decisively marks the demise of India as a secular republic that was built on guarantees of equality and non-discrimination on the basis of religion.

On the day that the Citizenship Amendment Act (CAA) was being debated in the higher house of Parliament, I declared my own form of civil disobedience if the CAA were to pass, followed by a nationwide National Register of Indian Citizens (NRIC) protecting the right to citizenship for all undocumented people except Muslims. In solidarity with those whose citizenship would be contested, I first would declare myself to be Muslim in any government survey that requires my stated religion as the basis for citizenship. When the NRIC would be organized, I would boycott it, refusing to produce any documents. Furthermore, I would demand that I be given the same punishment to which my undocumented Muslim sisters and brothers would be subjected, whether detention or the revocation of my citizenship rights.

I thought this would be a lonely but necessary act of civil disobedience, but I was gloriously wrong. For 100 luminous days, India was engulfed in the largest series of peaceful public protests since the freedom struggle: tens of thousands of young and working people, especially women, of every religious identity spilled into the streets to protest the law. Nationwide, the central icon of the protests was the constitution; its preamble with the solemn promise of equal citizenship was read aloud by the crowds. However, during the COVID-19 lockdown—the harshest and largest in the world—the government used the health emergency to arrest, detain, and interrogate hundreds of protesters, claiming that the protests were acts of hate and treason. The protests have been silenced at the time of this writing. The future of India as a just, equal, and kind country remains frighteningly uncertain. ■

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#### NOTE

1. The 2017 Law Commission of India Report on Hate Speech is available at [www.scribd.com/document/362912579/Law-Commission-Report-No-267-Hate-Speech#from\\_embed](http://www.scribd.com/document/362912579/Law-Commission-Report-No-267-Hate-Speech#from_embed)

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