

and networks for collective action. Songs, poetry, and stories as communal rituals constitute Muslim women's cultural world and enable them to reflect together, creating a consciousness relative to the societal conditions and political upheaval of their times. The protesters transformed Shaheen Bagh in political ways: a community kitchen to feed protesters, an arena for political discourse, a space for artistic expression, and a public reading room and library. The protest at Shaheen Bagh, although emerging from within a localized context of a Muslim neighborhood, reached several sites across the country that joined in support of the protesters, creating trans-local networks of support and solidarity. It inspired many similar networks across the country, bringing Muslim localities with a history of marginalization into a national space (Abu-Lughod 2012).

Women's active citizenship starts from the preestablished cultural domains of female power and rightful ownership or responsibility. These culturally defined domains, or the attacks on them, create the conditions for women's civic activism. This is the face of female resistance, which evolves progressively to challenge authoritarian structures of power, typically controlled

a private–public binary (Benhabib 1992). Their apparent prominent roles in the movement caught the government and allied media off-guard, making it slightly more difficult for them to demonize the protests than if they had been led by men.

The nature of these protests reminds us of the centrality of sentimental passions about citizenship and the legitimate authority of political community (Werbner 2005). The feminization of citizenship has the potential to overcome the exclusionary tendencies ingrained in the theory and practice of citizenship in India, which not only are inherently gendered but also reflect the exclusion of Muslim women's experiences and perspectives as they interact with other axes of social division including class, sect, caste, region, language, ethnicity, sexuality, age, and disability. Furthermore, feminization of citizenship supports the inclusion of interests and issues that a Habermasian concept of the "public" labels "private" and treats as forbidden (Fraser 1990). However, the difference then is reinstated as a higher-order value, which encompasses equality through a relational and dialogical ethic of care, compassion, and responsibility (Yuval-Davis and Werbner 2005).

This calls for attention to Muslim women's consciousness that considers the motivations in their everyday lives that might lead them to act collectively in pursuit of goals they may perceive as better achieved collectively than individually.

by (in this case, Hindu) men (Werbner 2005). The Muslim women who spearheaded the protests against the CAA at Shaheen Bagh entered the public realm because they wanted something more of their own—beyond their private selves—but something they had in common with others: belonging to a nation. Being in the public realm means being seen and heard by others, and it is the presence of others who see and hear what we see and hear that assures us of the reality of the world and ourselves (Arendt 1958, 199). On one level, Muslim women's emergence as the backbone of the protests points to a tactical move: their presence in large numbers made it difficult for the government to crack down as brutally on the protests as it surely would have if men were in its vanguard. On a deeper level, however, Muslim women's presence, and often their leadership, offered a fundamental challenge to the assumptions of leadership vis-à-vis both the Indian government (i.e., lurching toward a Hindu state) and Muslim men. Participation in the protests provided Muslim women the opportunity to exercise their autonomy vis-à-vis the patriarchal norms imposed by the government and the family.

Unlike nationalism, which is based on the past myths and imaginations of a common origin or culture (Anderson 2006), citizenship looks to the future. As a political vision, discourses of citizenship constitute horizons of possibility (Yuval-Davis and Werbner 2005). This also is probably why the protesters viewed an assault on Muslim students of Jamia Milia Islamia as an assault on the aspirations of the Muslim community. Higher education became the symbolic domain for struggles over citizenship and the authenticity of the nation, thereby blurring the distinction between the two (Bénéï 2007). Clearly, the role that Muslim women play in the protests questions the distinction of

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HUMANIZING CITIZENSHIP: CONSTITUTIONAL PRINCIPLES AND THE PROTESTS AGAINST THE CAA

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In December 2019, Ramchandra Guha, a renowned liberal historian in India, was briefly detained in Bangalore for protesting against the Citizenship Amendment Act (CAA). When he was

arrested, Guha was holding a placard with an image of Bhimrao Ramji Ambedkar, the architect of India's constitution, and a message that read, "CAA against Constitution." A few weeks later, Chandrashekar Azad, a prominent Bahujan¹ activist who took to the streets against the CAA, was arrested and jailed for several months. Azad had carried a copy of the Constitution of India with an image of Ambedkar at all of his rallies and protests against the CAA, claiming that the current government led by the Bharatiya Janata Party (BJP) wants to demolish *samata* (equality) and *samajik nyay* (social justice)—both promised in the country's founding document.

Whereas Ambedkar and "his" constitution have been symbols of protest and revolution for the Bahujans for several decades, they recently gained popularity among the left-liberal groups since the BJP came to power in 2014. Why and how does the constitution and Ambedkar become important symbols for various dissenting groups ranging from left-liberal scholars to downtrodden and violated social groups?

Hindu nationalism seeks to achieve an ideal Hindu democracy based on a glorious past of Hindus (Hansen 1999; Jaffrelot 1996). That the glorious Hindu past lacked elements of civility, reason, and equality is a matter of amnesia for Hindutva ideologues and workers.

India continues to be a society deeply divided in which a female child is perceived as a burden (Lal 2013); marriage is governed less by love and more by dowry and caste (Gupta forthcoming); temple entry is reserved for touchable castes and contempt toward castes of "lower" origins is normal (Guru 2009); and the cow is sacred but

I shall be satisfied if I make the Hindu realise that they are the sick men of India, and that their sickness is causing danger to the health and happiness of other Indians.

Hindu nationalists coming to power with an overwhelming majority affected the freedom of individuals and social groups, and illiberal Hindu popular beliefs became institutionalized (Guha 2021).

Ambedkar's interest in dignifying humanity highlighted not only the inegalitarian theology underlying Hindu order; it also drew from the philosophical clarity found in Immanuel Kant (Rathore 2020). In illiberal societies such as India, a liberal constitution that promises equality and universal social, cultural, and economic freedom, as well as social justice to its marginalized citizens, is a radical idea. Indeed, most marginalized groups prefer to both evoke and have trust in the Constitution of India for its promise of social justice and equality.

Indian society is plagued with unfreedoms and social ills; in contrast, however, the constitution holds hope and works as an instrument of transformation. By being secular, the constitution carries and inspires ideas of global citizenship. Equality before the law in the constitution, therefore, is a radical achievement for Bahujans. The constitution is about ethics for a humanist India, and in various ways it is against the spirit of hierarchy that governs the social and religious realms.

Protests across India against the CAA and the call for recovering the power of the constitution are signs of faith in its humanizing potential. Bahujan leaders and the masses have registered their protest and opposition against the CAA by emphasizing the

In several ways, India constitutes a closed society bounded by hierarchy and disgust toward the continually evolving lower and impure groups.

others are ordinary animals (Ilaiah 2006). In several ways, India constitutes a closed society bounded by hierarchy and disgust toward the continually evolving lower and impure groups.

Thus, the CAA is not in contradiction with Hindu forms of social and cultural solidarity, in which the unity of the whole generally is predicated on exclusion and marginalization of certain social groups. The CAA is driven by hate for Muslims and a false love for Hindu refugees. One of its prime objectives is to dehumanize Muslims; therefore, several Bahujan groups across India have resorted to protests of constitutionalism.

Is solidarity that dehumanizes certain social groups at the cost of others a problem peculiar to India? Surely not, but hierarchy continues to be the moral foundation of nationalist Hindu solidarity. The search for "pure" forms of citizenry is continually ordered hierarchically, and Muslims increasingly are placed at the lowest and even outer realms. If we were to believe Dumont (1980), social solidarity in India is based on the ideology of hierarchy [and exclusion] and the denial of equality also stemming from the founding moral principles of Hinduism. In summary, exclusion and inequality do not carry a "shock" value. Indian democracy persistently faces problem of civility.

Ambedkar (1936) considered the Hindu obsession with hierarchy an illness that affected all Hindus and those Hindus who converted to other religions. As he wrote in the preface to the second edition of his celebrated work, *The Annihilation of Caste*:

ideal of equality included in the constitution. Along with Muslim protesters, the left-liberal groups also have leaned on the constitution and Ambedkar's legacy. These protests move beyond the rhetoric of secularism to challenge the imposition of the hierarchical ideology of caste on the progressive, transformative, and humanistic Constitution of India. ■

NOTE

1. "Bahujan" means majority. It is used widely to refer to the political collective of outcastes and low castes who are considered the oppressed majority in India.

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FEDERALIZING CITIZENSHIP: THE KERALA STATE GOVERNMENT'S PROTESTS AGAINST THE CAA

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Citizenship in India has been the subject of “contentious politics” for decades (Aminzade et al. 2001). Incorporating citizenship within the framework of Indian federalism and the role of federalism in responding to varied citizenship claims is not without challenges. Indian states, which constitute India’s federal framework, are central to the complex negotiations that have shaped ideas of citizenship in the country. It is not surprising, therefore, that the amendments to India’s citizenship laws have been fiercely contested not only by protestors on Indian streets but also within legislative assemblies in several state governments, which are the basic units of governance in India’s federal democracy.

The case of Kerala is illustrative. First, the Kerala government was the first state in India that passed a resolution in its Legislative Assembly demanding the repeal of the Citizenship Amendment Act (CAA). Second, the state government challenged the national citizenship law in India’s Supreme Court. Third, the state government extended official support to the formation of a 620-km-long human chain from northern Kerala to the south on Republic Day that demanded the withdrawal of the CAA, thereby supporting the emerging democratic protests against it. Fourth, the state announced that it would not cooperate with the federal government’s initiative of maintaining a National Register of Citizens (NRC). The NRC had already rendered stateless 1.9 million citizens in the State of Assam, and the State of Kerala was determined to not repeat such a scenario. Each intervention is described briefly in the following subsections.

Legislative Resolution against the CAA

On December 31, 2019, Kerala’s Legislative Assembly passed an anti-CAA resolution, the first Indian state to not only register its opposition to the law but also to mobilize support of the opposition in the Assembly. When presenting the resolution, the Left-Front Chief Minister Pinarayi Vijayan stated that the controversial CAA was against the secular outlook and pluralistic fabric of the country and that it would lead to religious-based discrimination in granting citizenship, thereby contradicting “the basic values and principles of the Constitution.” The government’s view is that as long as the fast-track to Indian citizenship has been confined to Hindu, Parsi, Sikh, Buddhist, Jain, and Christian citizens of Afghanistan, Pakistan, and Bangladesh, it is, in effect, a differential exclusion of the Muslims, who also are subject to state and non-state violence in the respective countries.¹

The Kerala Legislative Assembly is dominated by the Left Democratic Front, a political coalition led by the Communist

Party (i.e., Marxist) of India. Nevertheless, the legislative resolution against the CAA found support from the opposition United Democratic Front, led by the Congress Party. Only one member—the lone legislator of the Bharatiya Janata Party (BJP)—expressed his opposition to the resolution but did not vote against it. In doing so, he took a neutral stance,² indicating a rare political unanimity between the state’s opposing political coalitions.

Kerala Challenges the National Citizenship Law in India’s Supreme Court

Almost two weeks after the legislative resolution against the CAA, Kerala also became the first state to challenge the CAA in the Supreme Court (SC) on January 14. This drastically altered the Indian debates on citizenship, thereby opening up the opportunity for a legal battle against the decision of the federal government. In its lawsuit in the highest court of the country, the government sought to declare that the CAA is in violation of the right to equality (Article 14), the right to life (Article 21), and the freedom to practice religion (Article 25) of the Indian Constitution. Briefly, the CAA violates the fundamental rights and basic principles of secularism enshrined in the constitution. The Kerala government also sought direction to declare the Passport (Entry to India) Amendment Rules (2015) and Foreigners (Amendment) Order (2015) to be “*ultra vires* the Constitution of India and to be void.”³

The government is confident in its legal position because it is clear that under Article 14 of the constitution, the state “shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” The head of the Left-Front government asserted that the lawsuit is the state’s responsibility to protect civil rights, contrasting the CAA, which is against the secular values of the Indian Constitution. The Supreme Court, which heard the petitions on January 22, 2020, stated that CAA procedures will not be suspended because the rules have not been framed. The Indian Union Muslim League moved the Supreme Court in June 2021 challenging the Central Government’s May 28, 2021, notification inviting non-Muslim refugees from Afghanistan, Pakistan, and Bangladesh and also the residents of the 13 districts of the Indian states (i.e., Gujarat, Rajasthan, Chhattisgarh, Haryana, and Punjab) to apply for citizenship. The Central Government defended its May 28 notification in the Supreme Court, claiming that it is only an “administrative delegation of power” vested in the Central Government “to the local authorities” and “has no relation whatsoever to the CAA,” opening yet another chapter of contentious politics of Indian citizenship, pending further hearings.

The Great Human Wall of Opposition against the CAA

On Republic Day 2020, Kerala witnessed the formation of a 620-km-long human chain from northern Kerala to the south that demanded the withdrawal of the CAA. With the active participation of women and children as well as various religious communities, the human chain literally became a human wall against the divisive and nonsecular politics of the federal government. Although the wall had the official support of the government, the opposition leaders who were left behind argued that the ruling Left-wing forces were trying to profit from it. Yet, many socially concerned individuals and groups—without having any alliance with the ruling Left—also extended their support, making the wall a great success.