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DOUBTFUL CITIZENSHIP: DATA AND DIVISION IN INDIA'S NEW CITIZENSHIP LAWS

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Within days of passing the 2019 Citizenship Amendment Act (CAA), the Indian government allocated 39.4bn rupees (£427m) for updating the National Population Register (NPR) database (BBC 2019). Updating the NPR database is regarded as the first step toward a nationwide National Register of Citizens (NRC), which will enumerate all Indian citizens. The government's determination to conduct a countrywide NPR exercise as part of the 2021 Census provoked doubts about its real intention because, with the passage of the CAA, religion has become a criterion for expediting the acquisition of Indian citizenship. Indeed, India's Home Minister, Amit Shah, outlined the chronology (Dowerah 2019) linking the NPR, NRC, and CAA with characteristic (BJP 2019) clarity: "Please understand the chronology. First, we will bring the CAA. Then we will bring the NRC," Shah stated on at least five different occasions (Venkataramakrishnan 2019). Because the NRC could be based on the data collected for the NPR, the connection between the two exercises cannot be ignored (Dutta 2019). Although the government has strongly denied any links between the NPR and NRC, it in fact has asserted that the NPR is the base on which the NRC would be constructed.

Under the proposed NPR exercise, individuals and/or their family members could be marked as "doubtful citizens" if they cannot provide satisfactory "legacy-linkage" data (Mohanty, 2019). Legacy linkage can be proven only through a legally acceptable document that establishes a relationship in clear terms between an individual and a parent or ancestor whose name appears in Legacy Data.¹ The legacy-linkage data were used to construct the NRC in Assam in 2018, which resulted in the exclusion of 1.9 million people from citizenship. Almost 1.2 million (PTI 2019) of those excluded were Hindus, threatening the Hindu nationalist agenda of the ruling Bharatiya Janata Party (BJP), which considers India the natural homeland for

persecuted Hindus (Jha 2014). It arguably was to offer a safety net to such individuals that the CAA was introduced and legislated in Parliament in December 2019. Thus, the NPR and CAA are parallel processes pressed into the service of an all-India NRC acceptable to the Hindu-majoritarian sentiments of the BJP.

NPR Data-Collection Process

In 2015–2016, within two years of Narendra Modi storming to power as India's Prime Minister, the Indian government updated the NPR database to create a comprehensive database of citizens. The NPR instruction manual states, "The Government has decided to update the NPR database along with house listing and Housing Census phase of Census of India 2021 during April–September 2020." Therefore, to "update" the NPR database, enumerators and supervisors—all government officials—visited every household, collecting names and other details of everyone living in India, including "foreigners." The instructions are contradictory as far as processing the information provided by residents. On the one hand, the manual affirms that "nationality recorded is as declared by the respondent"; on the other hand, it also instructs enumerators and supervisors to check the accuracy of the information provided by informants about their nationality and their place of birth. These instructions requiring government officials to verify already declared information question citizenship status and birthplace instead of accepting respondents' answers. Thus, the manual dictates that enumerators do not to accept a respondent's claim of being an Indian citizen without additional verification.

The manual also instructs enumerators to collect respondents' "Aadhaar number": a 12-digit unique number issued by the Unique Identification Authority of India. The Aadhaar number includes an individual's biometric information (e.g., an iris scan and fingerprints) and demographic information (e.g., date and place of birth and address). The decision to collect Aadhaar-number data also has been fraught with contradictions. When announcing the approval of funding for Census 2021 and NPR 2020, the government stated that sharing the Aadhaar number during the NPR would be "optional" (Jain 2020). However, a leaked government file states that approximately 600 million Aadhaar numbers already have been linked to the existing NPR database without the knowledge or consent of respondents (Home Ministry 2019). As a consequence, people are concerned that, without their knowledge, the state is collecting data about them through government programs, services, and public institutions such as post offices, banks, and election-commission databases.

NPR Data Collection Using Other Sources

The anxiety that these data will be used for the NPR process without people's knowledge is widespread and palpable. In January 2020, the Reserve Bank of India made it a mandatory requirement for "a letter from NPR containing details of name and address" for citizens to open and maintain a bank account. Failure to submit these documents would result in the freezing of a customer's account (The Wire 2020). Opposition parties claimed that banks and post offices were being used to collect CAA–NRC data, and they accused the central government of conducting surveys and collecting NPR data without the prior permission of the state government (PTI 2020). In September 2018, India's Supreme Court ordered that the Aadhaar number

was mandatory for millions of recipients to receive welfare assistance (Rautray 2018). Through the Voter Verification Programme, the Election Commission of India assembles various documents from voters to authenticate their details, including Aadhaar numbers, government-issued identity cards, data that identify recipients of welfare programs, utility bills, and the NPR

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Indeed, it may be easier for the government to commence the NRC process by linking and exploiting voter, Aadhaar, bank, post office, and NPR data, thereby compiling a list of "doubtful" citizens. These citizens would likely be given notices to prove their citizenship.

number of voters or that of their immediate relatives (e.g., parents) (PTI 2019). During the process, a voter from each family received a username and password, allowing them to upload all documents related to electoral registration and to tag similar details about their family members. This exercise allowed the government to create "family groups" and to identify "total family members," "total unenrolled members," and "total prospective electors".

The amassing of data under the NPR and combining them with other data collected assumes further significance in the context of the current government's desperation to conduct a nationwide NRC. Indeed, such control over data allows the government to construct an NRC without undertaking a door-to-door exercise if—for example—popular protests against the exercise were to be resumed or state governments opposed to the center were to stall or prohibit it. Indeed, it may be easier for the government to commence the NRC process by linking and exploiting voter, Aadhaar number, bank, post office, and NPR data, thereby compiling a list of "doubtful" citizens. These citizens would likely be given notices to prove their citizenship. ■

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FEMINIZING CITIZENSHIP: WHY MUSLIM WOMEN PROTEST AGAINST THE CAA

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Almost from the moment of its promulgation, the amendments to India's citizenship laws have generated protests across the country. The images of a young Muslim woman student from Jamia Milia Islamia who stopped a policeman from assaulting a male student and the crowds of women gathered at a Delhi neighborhood called Shaheen Bagh are now etched in public memory. The image of resistance to the newly introduced Citizenship Amendment Act (CAA) has become that of a Muslim woman holding the national flag and a portrait of Bhimrao Ramji Ambedkar, the architect of the Indian Constitution. Younger Muslim women have been active in expanding support to the peaceful protests through social media and a door-to-door campaign to create awareness of the need to resist the CAA. Many of these women are first-time participants in a public protest that has spread nationwide, as Muslim men continue to support them from the side lines.

Paradoxically, many of the Muslim women present at Shaheen Bagh came in their role as mothers and sisters, raising concerns over the government's brutally violent response to Muslim students protesting against the CAA at Jamia Milia Islamia. This incident shows that social concerns articulated by women based on familial roles can be expanded to address larger debates around citizenship and belonging. These social concerns can form the basis of a wider solidarity, translating their compassion into an ideological agenda articulated in the public sphere (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. The sense of community that emerges from shared routines binds them together within their religious identity and within their neighborhoods and homes. Physical proximity and shared experiences influence what and how Muslim women think, facilitating bonds

NOTE

1. Legacy Data in the context of India's Assam State refers collectively to the 1951 NRC and all electoral rolls up to midnight on March 24, 1971. This date is when the Pakistani military fired on pro-liberation demonstrators in the neighboring East Bengal province—then a province of that country but which subsequently became the Republic of Bangladesh—sparking an exodus of refugees to India.

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