

## **INTRODUCTION**

Decisive political developments have taken Place in India under a Hindu nationalist agenda driven by the right wing Bharatiya Janata Party (BJP) that conforms a coalition Central Government. The epicenter is Assam state, that accounts with a great ethnographic and religious diversity and decades of diverse violent conflicts (Hazarika, 2014).

The National Register of Citizens (NRC) is an official record of those who are considered legal Indian citizens. A draft version of the NRC was published in 2018 in Assam state, where 4.1 million people were excluded from the list, from which the majority were “poor, illiterate and/or members of the Muslim minority” (Perrigo, 2019). Strong criticism towards the mechanism that conformed the list forced the government to release a revised and final official version in August 2019, that left ~1.9 million people facing the threat of statelessness.

The game changer is that the demography of the excluded in the final version shifted dramatically, and the government did not predict that about the 60% of those nearly 2 million people excluded from the list are Hindus.

In response, on December 11, 2019, the Indian Parliament passed the Citizenship Amendment Bill (CAB), which the BJP announced as a pro-refugee measure as a path to obtain Indian citizenship to religious minorities, namely Hindu, Sikh, Buddhist, Jain, Parsi and Christian, from Pakistan, Bangladesh and Afghanistan. Massive demonstrations across the country have emerged, but with different claims.

Protests emerged in numerous University campuses all over India, along with an iconic protest at the Gate of India in Delhi, denouncing that the CAB hides an anti-Muslim community campaign, that in India accounts for 200 million people. The protests also called on the violent clashes between police forces and demonstrators at the Jamia Millia Islamia University in Delhi.

But in the other hand, protests in Assam state complain that the CAB would allow a massive influx of Bangladeshi Hindus into their territory would erode their language and traditions (Singh, 2019). Confrontations with the police have left five death people so far.

This is a crucial moment for the largest democracy in the world and this essay will explore on the intended or not messages behind the State actions, the aspects of parallelism that resonate with nationalism and ethnic conflict and the legitimacy of differentiation by the rule of law.

This being a developing situation, all research was done up to December 19, 2019.

## **NRC CONTROVERSY**

Protestors have been very critical about the inaccuracy of the NRC that was released in Assam State as it has demonstrated some false negatives; for instance, people who have fought in the Indian army have been excluded from the list, along with members of Assam's indigenous tribes (Rawat, 2019).

The nearly 2 million that were left out of the NRC would have the chance to appeal within 120 days by providing proof that they or their forebears were living in India by March 24, 1971, a day before Bangladesh became an independent country. Assam state residents who are ultimately unable to prove they meet the NRC requirements may be held in detention centers or be deported.

In any case, it's hard to expect people would be able to demonstrate their ancestral continued existence in India for decades. While some may have paperwork of themselves or their relatives, they will hardly have evidentiary documents related to their grandparents, which is the requirement by the authority.

## **WHAT'S BEHIND THE CAB**

The Citizenship Amendment Bill has been announced with a pro-refugee aim, but it is misleading in its purpose and disingenuous. It seems to understand persecution and asylum in a very narrow and clumsy way as it only comprehends selective religions and countries. As the Bill includes a religious divide, the highly regarded secularism in India appears to be in jeopardy.

It first reduces the asylum to a religious persecution dimension, leaving out the political, ethnical or sexual preference types of persecution. Tamils from Sri Lanka, Muslim Shias from Pakistan and Afghanistan, Rohingyas from Myanmar, to just mention a few, are excluded from the so-called asylum Bill. While historically India has abided by it, it is not a signatory of the United Nations Convention Relating to the Status of Refugees.

## **RHETORIC**

While the Muslim community in India has not (yet) been affected in a particular or targeted way, with the promise from the central government to promote the NRC to a national level, and since they are implicitly excluded from the CAB, they do have reasons to worry. Furthermore, this resonates with an increasing global trend of fear and hate to Islamic faith.

The language and rhetoric used by members of the BJP requires special scrutiny. Representatives of the BJP have explained that the purpose of the CAB is to provide sanctuary to people fleeing religious persecution. BJP members have carefully maintained a clear distinction in their speeches between "refugees" - those religious minorities included in the Bill, versus "infiltrators" - Muslims who emigrated from Bangladesh into India.

This discourse is also attempting to exacerbate, and enforce by policy, an ethno-linguistic divide that has existed in Assam state for long time.

India's Home Affairs Minister, Amit Shah, from the BJP visited Assam state to assure to those refugees excluded from the NRC, that the central government wouldn't force them out of the country and that the CAB would provide them with means to obtain the Indian citizenship (Krishnan, 2019).

Shah also stated in a public rally: "these infiltrators are like termites in the land of Bengal and they are taking away the livelihoods of our people. The BJP is determined to throw them out".

## **PARALLELISM**

Similarities on hate speech or vermin-dehumanizing calling can be found in several human crises: Tutsis were referred as cockroaches in Rwanda, Armenians were called parasites during its genocide, Myanmar Rohingya Muslims were called mad dogs, Mexicans have been called rapists. The list could go on.

The vermin calling as an act of dehumanization is a practice closely related to hate crimes, massive violence, ethnic cleansing and even genocide. It erodes the social fabric and, by coming from State actors or institutions, gradually legitimize and institutionalize hate and xenophobia.

As the Rohingya crisis in Myanmar continues developing today, it's important to look at the common grounds shared with the Indian case. The premise is that the targeted population on both countries appears to be the minority Muslim community, that in Assam state represents one third of the population.

Ruling parties, the BJP in India and the National League of Democracy (NLD) in Myanmar, maintain a strong nationalist agenda that aligns with its electoral base (Anand, 2019), where Hindus represent 80 percent and Buddhists the 88 percent respectively. This domestic support helps them to resist the strong international criticism to their policies.

On the Indian side, the revocation of Kashmir's special status by a presidential decree in September 2019 stripped out the relative autonomy of the Muslim-majority state, which was followed by an imposed curfew and communications shut down. In Myanmar, the 1982 Citizenship Law divested the Rohingya Muslims from their citizenship as they did not figure among the list of Myanmar's national races (Human Rights Watch, 2015), which exacerbated their persecution.

While the Rohingya persecution in Myanmar has unfolded for decades (Egretau, 2009), 2016 was marked by a major crackdown by the military and police forces and derived in a massive influx of Rohingyas into Bangladesh. In India, detention camps are currently

being built in Assam state to hold those who ultimately are deemed as illegal immigrants. Bangladesh government has stated they won't admit.

## **LEGITIMACY OF DIFFERENTIATION**

It is worth questioning if the ethnic differentiation made by the CAB is rightfully instrumented by the government. Policies that favor or restrain the inclusion of a given group can be implemented with the aim of correct an existing deficiency in society and it is precisely the way the BJP has defended it.

However, BJP spokesperson Gaurav Bhatia has suggested that the Muslim community is missing from the CAB using arguments related to national security by stating "Pakistan ISI (Inter-Services Intelligence) is very active in Bangladesh supporting militants in Assam. Muslim militant organizations have mushroomed in Assam."

This weak and vague statement exposes a sentiment of fear and also, does not provide any sense of fairness in making such distinction. John Rawls has written "inequalities are arbitrary unless it is reasonable to expect that they will work out for everyone's advantage" (Rawls, 1958: 165) where the exclusion of Muslims certainly does not work on their own advantage, but won't make the rest of Indias citizens safer either.

## **CONCLUSION**

While the NRC is a mandate approved by the Supreme Court, in its implementation, the BJP found a way to weaponize it to exacerbate an existing clash with the Muslim community.

The current situation in India will most likely create a new cohort of stateless people and may represent a prelude to a violent conflict of large dimensions. Recent India government's policies expose signs of ethnic cleansing against the Muslim community, even when these have been disguised otherwise. Escalation of the situation is foreseeable specially since the NRC is planned to be taken to a national level deployment.

The reading of the facts and analyzing the rhetoric used by the ruling party, exposes an attempt to remove the secularism of India and transform it into a Hindu State by marginalizing the other, with a special emphasis on the Muslim community. Violence is present already with major chances to increase, but more important, the otherization of the Muslim is translating into their persecution.

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