CITIZENSHIP AMENDMENT ACT AND THE IDEA OF INDIA

COVID-19 Exposes Our Vulnerabilities and Absurdities in the Name of Religion

As India grappled with the effects of the Citizenship Amendment Act (CAA), the theme of this issue, the ground beneath our feet was swept away by the tsunami of coronavirus. The riots which followed the anti-CAA protests claimed over 50 lives, almost all from the marginalised sections, mostly of the minority community. Homes and properties were selectively targeted, often in the presence of the police.

Thousands of innocent people of all communities have died in caste and communal riots since independence. But what stands out once again is the prejudiced attitude of the law enforcement agencies, a sad reminder of the 1984 anti-Sikh riots. As if the police were taking their cues from the same sections of politicians who were inciting violence and hysteria.

But the riots began to fade from our collective consciousness as the chaos of coronavirus burst into our lives. The sectarian hatred, however, lingered on. In no time, a section of politicians and media shifted their gaze from the riots to the pandemic, blaming it squarely on the minorities. We are back to what we do best: divide everything from the most mundane local realities to the most extraordinary global phenomenon into Hindu-Muslim issue.

And while we are at it again, the global catastrophe is slowly changing everything all of us know as normal --- from workplace to public transport, and from simple pleasures like meeting friends to taking a walk in the park. Crores of people have lost livelihoods, jobs, savings and loved ones, and the worst, we are told, is yet to come.

The crisis is a sad reminder that the world is vulnerable in ways unthinkable in the past. And that applies as much to the most advanced countries as to the poorest. We also figure that national defence or progress is not a matter of having huge armies, weaponry or shining cities any longer. It is, first and foremost, about health infrastructure, social security and our preparedness to deal with emergencies.

Some of us with homes and steady incomes gave grudging approvals to the lockdown and rightly so. But for those living for the day in the slums and tenements, it came as a curse of deprivation. They understand the value of social distancing but cannot afford it when a family of six has to live in a single room. Our policymakers made no serious plan to quickly take them home, to the more resilient villages and small towns, like we evacuated middle class Indians from across the world. We have one set of rules for people like us and quite another for the poor. We expect to be paid for the lockdown but are hesitant to pay our maids and employees with dignity and compassion. We hope our readers are among the exceptions to this horrible reality of this great country.

Time to Fight the Real (and Common) Enemy!

This unusual moment in history comes as a reminder that human beings have a shared destiny. It also shows that the issues which unite us – like those of everyone's safety and well-being – are much more substantive than those which divide us. Above all, it exposes the absurdity of all prejudices, and claims of superiority, in the name of caste, nationality or religion. The real heroes, our healthcare workers, too come from all castes and communities just as the victims.

The global spread of the virus showed that people in some of the richest countries, or the rich in any country, are as vulnerable as their poor neighbours. No citizen, country, city or community can claim that they can fight the disease entirely on their own. We can only be safe when all others are safe: rich and poor, urban and rural, Hindus and Muslims. In 210 countries and territories where the virus has spread, India stands out as a country where one community is being blamed for the spread of the virus. A section of our media singled out some minority gatherings for blame while ignoring many other similar functions and congregations of other groups and sections. Some of us are still presenting it as a Hindu-Muslim problem.

Common Destiny, Compassion and the Idea of India

Coming back to the theme of our cover story, the CAA, we must examine its impact just as we did for the virus – with a degree of compassion and rationality. The founding fathers of our Constitution rejected the idea of making religion the basis for citizenship. And that, set apart India from our twin Pakistan. And it was on this foundation of compassion and inclusiveness, that the idea of India was built.

The Act's stated main objective – religious persecution of minorities in the neighbouring Muslim countries – appear valid in a cursory look. But the problem is that it violates the spirit of our own Constitution. It not only excludes the Muslims but many other communities like the Baha'is, or the Jews, and even the minority sects of the Muslims like the Ahmadis or the Baloch who have a long history of persecution. It keeps out important neighbours like Sri Lanka and Myanmar where minorities are known to be persecuted. Some have also questioned the wisdom of leaving out orphans, transgenders, atheists, etc.

Parliament has to make laws but in a fair and accountable way and the citizens have an equal right to criticise them. And all laws which conflict with, and seek to alter, the basic structure of the Constitution can be struck down on the principle of 'basic doctrine' which ensures that the majority is not allowed to bulldoze all others.

The big problem of the CAA is that it violates Article 14 of the Constitution which guarantees every person's right to equality before law and prohibits discrimination. It is also being seen as a precursor to an exclusionary National Register of Citizens (NRC). The first such experiment, in Assam, has yielded tragic results with close to 20 lakh people of all communities being declared as non-citizens.

The matter is before the Supreme Court. For now the government has clarified that NRC for the entire country is not being discussed. The next phase of the census and work for updating the National Population Register (NPR) have also been deferred. This is a good time perhaps for a more dispassionate discussion on its far reaching implications.

This issue of your journal has tried to demystify the implications of the CAA and COVID-19 in simple terms. We believe that we are living in an interdependent world and our actions have implications for others and in the end for ourselves. No single race, country or community can win the war against climate change, pandemics, poverty or prejudices alone. We are all in it together.

Like always, your views and comments are welcome on commoncauseindia@gmail.com

Vipul Mudgal
Editor