

Citizenship act has corrected a historic blunder

December 15, 2019

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Times of India - <https://timesofindia.indiatimes.com/blogs/right-and-wrong/citizenship-act-has-corrected-a-historic-blunder/>

On the face of it, there is nothing in common between the two distinct oppositions to the Citizenship (Amendment) Bill that was passed by both Houses of Parliament last week.

On the one hand are those protesting on the streets in Assam and some North-eastern states. They claim to be against all 'foreigners' who have settled from across the international borders and, in particular, seek the deportation of all those non-citizens who entered India after March 25, 1971 or even earlier. They certainly don't want all Hindus, Buddhists, Christians, Sikhs, Jains and Parsis who settled in India prior to 2015 to be automatically given Indian citizenship and become permanent residents in their states.

The second opposition, visible in Parliament and the editorial pages, comprises those who view the CAB as discriminatory and inherently anti-Muslim. To them, this bid to add a religious dimension to citizenship goes against both the Constitution and their 'idea of India.' They have even charged the Narendra Modi government with creating a Hindu variant of Pakistan.

The first group is relatively more honest. Assam, and Tripura in particular, has witnessed a massive demographic transformation since Independence caused by the influx of Bengali-speaking peoples from what became East Pakistan. Some of the immigrants were undeniably those who fled religious persecution but a large part also comprised Muslim settlers who were drawn by other considerations. The cumulative effect of this immigration has resulted in Assamese-speakers being reduced to a minority in Assam and the social character of Tripura being altered dramatically. It is understandable, therefore, that there is some wariness to Bengali Hindus and Buddhist Chakmas being granted citizenship. These communities do not threaten the overall integrity of the region but the wariness has to be viewed in the larger context of Assam's politics that has seen the interests of local people being subordinated.

There are no such concerns in the rest of India. The reality of religious minorities being systematically harassed and driven out of East Pakistan from 1947 to 1971 has been documented. However, what is insufficiently appreciated is that the exodus from East Pakistan didn't happen all at once — unlike in West Pakistan. There was, first, a naïve belief that East Pakistan would retain a multi-religious character. The Constituent Assembly, for example, set July 19, 1948 as the deadline for citizens to choose between India and Pakistan. This was followed by the Nehru-Liaquat Pact of April 1950 that committed both countries to protecting their religious minorities. Finally, after the formation of Bangladesh in December 1971, it was again assumed that the Hindu and Buddhist minorities would finally live with dignity in the new state.

There was also a denial of the fact that a big chunk of the Hindu refugees who crossed over into India following the Pakistani army crackdown in March 1971 never returned after the liberation. The steady influx of migrants from Bangladesh to India subsequently was silently acknowledged but, owing to political compulsions, was never acted on.

The CAB hasn't addressed the problem in its totality, but it has at least given recognition to the predicament of the Hindus and Buddhists who fled persecution. In the normal course, these peoples should have been classified as refugees and not viewed as illegal aliens. However, in line with the denial that began in 1947-48, they were deprived of their social identity and viewed as an invisible community. Worse, for a community that played a seminal role in the freedom movement, they were lumped together with their persecutors — all to keep alive a secular pretence. The CAB has corrected this distortion and given the Hindus from Bangladesh their social dignity and rightful place in India. A historic blunder has been corrected and they have finally been put on par with refugees from Pakistan.

Acknowledging the injustice to minorities in three neighbouring countries and fast-tracking a solution does not mean India is emulating these countries. Its mere suggestion is a grotesque distortion of reality and as grave an offence as equating Hindu refugees from East Pakistan/Bangladesh with the Razakars who too fled Bangladesh after liberation and sneaked into India. In attempting a contrived even-handedness, the CAB's critics are guilty of this perversion.

The CAB addresses only a part of the problem caused by the movement of peoples across international borders. There is still the outstanding issue of what to do with those whose presence in India is demonstrably illegal. It is finding a humane solution to that problem that should occupy the national attention now, not denying justice to those who sought the protection of Mother India.

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