

70 Years of Citizenship and the Constitution:¹

Sanjay Hegde, Senior Advocate, Supreme Court of India

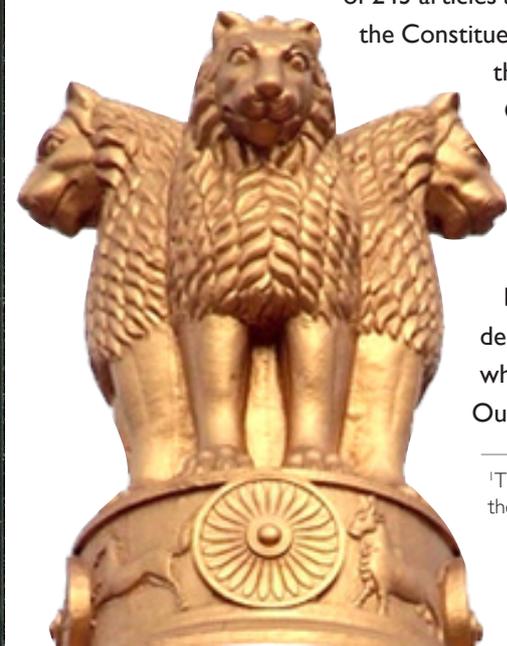
Three score and ten years ago, we the people of India, made a tryst with our Constitution. Now the time has come, when we are called upon to redeem our pledge, maybe not wholly or in full measure but possibly very substantially. Today I cannot help but recall, the bleak prognostications were offered as we in 1950, set out upon our journey of citizenship. Winston Churchill on 20th September 1947 had warned “How can you suppose that the thousand-year gulf which yawns between Moslem and Hindu will be bridged in 14 months? The Indian parties and political classes do not represent the Indian masses. No arrangement can be made about all the great common services. All will be the preparation for the ensuing Civil War. In handing over the government of India to the so-called political classes you are handing over to men of straw of whom in a few years, no trace will remain”

Churchill may have had reasons for his pessimism. We Indians after all had no experience of being citizens. We had all along been subjects of various Rajahs, Nawabs or of the British King Emperor. We were now being called upon now to be citizens of an independent republic. Having fought for freedom from British rule, and having secured it, we had begun the task of independently governing ourselves under a constitution. We entrusted the task to a Constituent Assembly, whose debates continue to illuminate and enlighten us even today.

The constituent assembly laboured hard from 9th December 1946 to 26th November 1949 to produce a document that did not meet with immediate universal acclaim. Mr K Hanumanthayya expressing his disappointment about the lack of indigeneity in the Indian Constitution said- “we wanted the music of Veena or Sitar, but here we have the music of an English band”. Nevertheless a mammoth task had been accomplished. As Dr Ambedkar narrated -“The Draft Constitution as prepared by the Constitutional Adviser as a text for the Draft Committee to work upon consisted of 243 articles and 13 Schedules. The first Draft Constitution as presented by the Drafting Committee to the Constituent Assembly contained 315 articles and 8 Schedules. At the end of the consideration stage, the number of articles in the Draft Constitution increased to 386. In its final form, the Draft Constitution contains 395 articles and 8 Schedules. The total number of amendments to the Draft Constitution tabled was approximately 7,635. Of them, the total number of amendments actually moved in the House was 2,473.”

The President of the Constituent Assembly, Dr Rajendra Prasad prophesied at its birth, “Whatever the Constitution may or may not provide, the welfare of the country will depend upon the way in which the country is administered. That will depend upon the men who administer it. It is a trite saying that a country can have only the Government it deserves. Our Constitution has provisions in it which appear to some to be objectionable from one

¹This was the second in a series of lectures on Seventy Years of the Constitution organized by SAHMAT at the Jawahar Bhawan, space courtesy the Rajiv Gandhi Foundation.



point or another. We must admit that the defects are inherent in the situation in the country and the people at large. If the people who are elected are capable and men of character and integrity, they would be able to make the best even of a defective Constitution. If they are lacking in these, the Constitution cannot help the country. After all, a Constitution like a machine is a lifeless thing. It acquires life because of the men who control it and operate it, and India needs today nothing more than a set of honest men who will have the interest of the country before them.”

Seventy years after these words of warning, we are now engaged in a great constitutional conversation about citizenship, which is being fought out on the streets, through ballot boxes and in the courts. This conversation has come about with varying ideas of citizenship all contending in the marketplace of ideas. There are those who think that they have a first right on citizenship of this country; a right which may extend to even defining the rights of those who are not exactly like them. There are others who dare to assert at long last, that they will not be treated unequally in the matter of citizenship. There are also those who still cannot fathom what the fuss is all about.



Dr. Babasaheb Ambedkar, chairman of the Drafting Committee, presenting the final draft of the Indian Constitution to Dr. Rajendra Prasad
PC-Wikimedia Commons

Citizenship is simply the right to have rights. Only a citizen can assert some rights against all, including the state. The loss of citizenship or a state of statelessness, often renders the individual remediless against state or private action. In western thought, the roots of citizenship go back to the city states of ancient Greece. Aristotle’s Politics talks about the nature of citizenship in Athens. The passage reads- “It must be admitted that we cannot consider all those to be citizens who are necessary to the existence of the state; for example, children are not citizens equally with grown-up men, who are citizens absolutely, but children, not being grown up, are only citizens on a certain assumption. Nay, in ancient times, and among some nations the artisan class were slaves or foreigners, and therefore the majority of them are so now. The best form of state will not admit them to citizenship; but if they are admitted, then our definition of the virtue of a citizen will not apply to every citizen nor to every free man as such, but only to those who are freed from necessary services. The necessary people are either slaves who minister to the wants of individuals, or mechanics and laborers who are the servants of the community.” Thus Ancient Greece had different kinds of citizens and only a full citizen would be able to participate in day to day happenings of the state as a male, a patriarch and a warrior. The Roman Republic after the collapse of the old monarchy had a few families ruling them and they were called patricians. The rest

of the citizens were called plebians. The first roman law code, Twelve Tables, had separate laws for these two classes. With the tag of citizenship came certain rights but that too was restricted to certain citizens and not all. Women were always outcast from participating in the Roman Republic.

Thus Ancient Rome and Greece had citizenships not dissimilar to the Indian situation about which Dr B R Ambedkar warned, - “..On the 26th of January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up.”

Let us now turn to how the Constituent assembly debated questions of citizenship on three days i.e. 10th August, 11th August and 12th August 1949. The idea behind adding citizenship was not in any general sense but citizenship on the date of commencement of the Constitution. It was not the object of the assembly to lay down a permanent definition of citizenship. Future Parliaments were to have full power to make laws on the question. Echoes of the communally charged atmosphere of the Partition resounded in the assembly as it debated what eventually got enacted as Article 7. Though the markers of religious difference were not openly displayed, they are easily recognisable in the debates on Articles 6 and 7 of the Constitution. Article 6 was obviously unexceptionable as it guaranteed rights of citizenship for what were largely Hindu migrants from Pakistan, commonly described in the discourse of the time as refugees.

Mr Punjabrao Deshmukh from Vidarbha, a barrister and an untouchability fighter, thought that the provisions in the draft articles made Indian citizenship, the cheapest citizenship on Earth. Mr Deshmukh thought that Indian citizenship was being given too easily. His grouse was with citizenship by birth. According to him, If the draft Article was to be accepted, even a child born of a lady while she was transiting through the Bombay port would get citizenship.

He asked for at least two amendments. First, just being born in India shouldn't be sufficient, the child should be born to Indian parents. Next, all Hindus and Sikhs, residing anywhere in the world should be entitled to Indian citizenship. He said “I do not cite any ground whatsoever that we should do it, unless it is the specious, oft-repeated and nauseating principle of secularity of the State. I think that we are going too far in this business of secularity. Does it mean that we must wipe out our own people, that we must wipe them out in order to prove our secularity, that we must wipe out Hindus and Sikhs under the name of secularity, that we must undermine everything that is sacred and dear to the Indians to prove that we are secular?” Mr Deshmukh emphasised on the fact that Pakistan was formed on the basis of religion and all Muslims have an exclusive place for themselves, so accordingly he suggested that only Hindus and Sikhs should be entitled to return as citizens of India.

Pandit Thakurdas Bhargava who was also a lawyer from the Punjab, had a slightly different take. He said “If a Muslim comes to India and bears allegiance to India and loves India as we love her, I have nothing but love for that man. But even after the partition for reasons best known to themselves many Mussalmans have come to Assam with a view to make a Muslim majority in that province for election purposes and not to live in Assam as citizens of India. My humble submission is that those persons have come here for a purpose which is certainly not very justifiable. Those who have come here on account of disturbances in Pakistan or fear of disturbances there certainly they must get an asylum in India. If any nationalist Mussalman who is afraid of the Muslims of East Pakistan or West Pakistan comes to India he certainly should be welcomed. It is our duty to see that he is protected. We will treat him as our brother and a bona fide national of India. In regard to those others who have not come here on account of disturbances, we should not allow them to become citizens of India, if we can help it.”

Mr Rustom K Sidhva a Parsi originally from Karachi, who represented the Central provinces, felt that there were communities other than Hindus and Sikhs that need to be addressed, such as Parsis. He insisted that the articles did not have any mention of any community per se. Mr Mehboob Ali Baig Saab Bahadur said “the interpretation put upon the provision by Dr. Deshmukh is not at all correct. In support of his observations he quoted the instances of the United States of America, Australia and South Africa. He said, “Look at those countries. They do not give citizenship rights to Indians even when they have been in those countries for thirty or thirty-five years.” May I put him the question whether we should follow their examples? Can we with any reason or pretence tell these persons: “Look here, you have not given citizenship right to Indians living in your countries for decades?” Can we complain against them if we are going to deny them citizenship rights here? Let us not follow those bad examples. Whether it is possible or not, shall we now follow these retrograde countries like Australia in the matter of conferring citizenship rights and say that citizenship will not be available except on very very strict conditions? It is very strange that Dr. Deshmukh should contemplate giving citizenship rights only to persons who are Hindus or Sikhs by religion. He characterised the provision in the article granting citizenship rights as ridiculously cheap. I would say on the other hand that his conception is ridiculous. Therefore, let us not follow the example of those countries which we are condemning everywhere, not only here but also in the United Nations and complaining that although Indians have been living in those countries they have not been



Jawaharlal Nehru signing Indian Constitution | PC-Wikimedia Commons

granted citizenship rights there.”

Pandit Nehru opposed religion based citizenship saying “One has inevitably to do something which involves the greatest amount of justice to our people and which is the most practical solution of the problem. You cannot in any such provision lay down more or less whom you like and whom you dislike; you have to lay down certain principles, but any principles that you may lay down is likely not to fit in with a number of cases. It cannot be helped in any event. Therefore, you see that the principle fixed fits with a vast majority of cases, even though a very small number does not wholly fit in, and there may be some kind of difficulty in dealing with them.”

Mr Alladi Krishnaswami Iyer of the drafting committee said “We are plighted to the principles of a secular State. We may make a distinction between people who have voluntarily and deliberately chosen another country as their home and those who want to retain their connection with this country. But we cannot on any racial or religious or other grounds make a distinction between one kind of persons and another, or one sect of persons and another sect of persons, having regard to our commitments and the formulation of our policy on various occasions.”

Mr Brajeshwar Prasad said “I wish all the people of Pakistan should be invited to come and stay in this country, if they so like. And why do I say so? I am not an idealist. I say this because we are wedded to this principle, to this doctrine, to this ideal. Long before Mahatma Gandhi came into politics centuries before recorded history. Hindus and Muslims in this country were one. We were talking, during the time of Mahatma Gandhi that we are blood-brothers. May I know if after partition, these blood-brothers have become strangers and aliens? Sir, it has been an artificial partition. I think that the mischief of partition should not be allowed to spread beyond the legal fact of partition. I stand for common citizenship of all the peoples of Asia, and as a preliminary step, I want that the establishment of a common citizenship between India and Pakistan is of vital importance for the peace and progress of Asia as a whole.”

The debates thus were heated and had gone on for more than nine hours, over three days. Some members had also suggested that further debate was required. The members finally came to a consensus that future Parliaments would have the ultimate power to legislate on these questions. Any defects that experience disclosed could thus be rectified at a later date. The constitutional provisions were only meant to determine citizenship at the time of commencement of the Constitution.

The transitional citizenship clauses were the most complex for the draftsmen to pen down. They had been sent back on two previous occasions. Therefore at the commencement of the constitution, persons who had been born in India, or either of whose parents were born in India, or who had ordinarily been resident for five preceding years, or those who had come over from Pakistan were granted Indian citizenship. Article 11, enabled future Parliaments to make provisions with respect to the acquisition and termination of citizenship and all other matters relating to citizenship.

The substantive framework for citizenship was put in place by the Citizenship Act of 1955, which was enacted by the first Parliament in accordance with the powers set out in Article 11. Under the Citizenship Act, Citizenship can be acquired by birth, by descent, by registration or by naturalisation. Subsequently, rules regarding citizenship were formulated. Currently, the Citizenship Rules of 2009 supplement the act.

Another act which impacts the discussion on citizenship is the Foreigners Act of 1946, which is a pre-constitutional act. It was passed shortly after the Second World War, during which the colonial administration was in perpetual fear of German or Japanese infiltrators and spies, spreading disaffection among the natives. The act provides for measures including detention of foreigners and the rules provide for tribunals to determine questions of nationality. Its most significant provision is Section 9, which casts “the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description,upon such person.” Thus if a person is alleged to be a foreigner, the burden is upon him or her to prove that he or she is in fact a citizen and not a foreigner. This act, has had a devastating effect upon the poor without documents especially in the context of Assam’s citizenship crisis to which I shall now advert.

Assam and the northeast have had a convoluted history and geography which have impacted India, its neighbors and their inhabitants. The Ahoms are but one of the ethnicities that have made the Brahmaputra valley, their home. The first Ahom ruler Sutapa, is said to have come from Yunan in China in the beginning of the 13th century. The areas around the modern state of Assam were ceded to the British by the Burmese under the treaty of Yandbo in 1826. These fertile but sparsely populated areas, were over the years occupied by tea gardens and farms, which attracted peasants from the Bengali parts of British India. Assam was incorporated into Bengal and after the partition of Bengal, for a brief period between 1905 and 1911, ruled from Dacca. In 1912 it again became a separate province. At the time of independence, it had a very mixed population and some of its districts had a Muslim majority. The Sylhet district of Assam province, held a referendum and opted to join East Pakistan. Some districts with substantial Muslim populations like Dhubri, opted to remain in India relying upon promises made by Lokbandhu Gopinath Bordoloi.

However with all this mixed history and mixed populations, questions of Citizenship of the newly independent countries of India and Pakistan had to be determined, with people still crossing and returning over porous borders. At this stage by a secret administrative exercise, a National Register of Citizens for Assam was drawn up in 1951. The

register was not complete in some districts, nor was it drawn up as a fully determinative exercise. When Pakistan broke up over the language question, the bloody crackdown by the Pakistani army led to a huge refugee influx into India, especially the states of Assam, Tripura and West Bengal. After the war ended, under the Indira-Mujib pact, Bangladesh agreed to take back those who had migrated after March 25th 1971, while India agreed to retain those who had entered prior to that date. While Tripura and West Bengal endured the refugee influx, the native Ahoms in Assam, viewed it as an accretion to the traditional Congress votebank of Ali, Coolie, Bengali. In a 1978 bye election to the Lok-Sabha from Mangaldoi, an unprecedented increase in the number of Muslim names in the voters list sparked off protests from the All Assam students union. Resultantly the Assam agitation against foreigners was sparked off. The agitation had its apogee in the Nellie Massacre on 18th February 1983, when over two thousand men, women and infants were killed. The massacre led to large scale detentions of the movement's leaders, which only ended with the Assam Accord of 1985.



PC- Google Images

Under the accord post 1971 migrants were to be deported after determination by Special tribunals and those who had migrated between 1966 to 1971, were to be disenfranchised for a period of ten years.

This accord allowed relative peace to return to Assam and paved the way for the Assamese student leaders Prafulla Mohanta and Bhriгу Phukan into power, as Chief Minister and cabinet minister respectively. As long as the Ahom Gana Parishad remained in power, expulsion of aliens remained only a desirable consummation devoutly to be wished for. As the Congress came back into power and regained it for three terms, the ethnic cauldron began to simmer. The then AASU student leader Sarabananda Sonowal, got the Illegal Migrants Determination Tribunals, struck down by the Supreme Court in 2005, on the ground that casting the burden on the accuser to prove that the respondent was a foreigner, was unworkable and arbitrary. The effect of this striking down, was that questions of determination of nationality went to the Foreigners tribunal, under the foreigners act, where the burden was not on the accuser, but on the respondent.

The resultant effect, has been huge human misery among the poor and the undocumented. An enumerator of the election commission, (normally a lower level government servant), who came across a non-Assamese speaking family, headed by Mr X who was wearing suspect clothing, marked the voter as doubtful and may have made a reference to the Illegal Migrants Determination Tribunal, which may have sent a notice. That notice may or may not have been served. The matter would have been transferred to the Foreigners tribunals after the IMDTs were wound up. Many years later, these tribunals would proceed ex-parte to rule that Mr. X could not prove his citizenship and hence was a foreigner liable to be deported and in the meanwhile to be detained till such deportation was carried out. The

orders of the tribunal, could be challenged in Writ Courts, but the Gauhati High Court and often the Supreme Court, had an unblemished record of not interfering by citing the limitations of writ jurisdiction, which could not get into questions of fact.

Into this toxic mess, another bad idea took root. It was argued by some, that if only the 1951 NRC, was updated, to take into account those who could trace their ancestry to those on that list, the new list would reveal undoubted citizens, because those who failed to prove ancestry would be either illegal immigrants from Bangladesh or internal migrants from India. The Congress Government of Tarun Gogoi, started a pilot project in a few districts, but had to abandon it in the face of local resistance. In 2013, a Supreme Court Bench headed by Justice Ranjan Gogoi, directed the state of Assam to update the the 1951 NRC by the 1st of January 2016. The judgment in the Assam Sanmalita Mahasangh verges on xenophobia when it asks a Constitution Bench to determine if “an influx of illegal migrants into a State of India constitute “external aggression” and/or “internal disturbance”? Does the expression “State” occurring in this Article refer only to a territorial region or does it also include the people living in the State, which would include their culture and identity?”.

The Supreme Court, then went on a continued exercise of micro-managing the task of updating the 1951 NRC of Assam and did allow extensions for completion of the exercise. When the final updated NRC was released on August 31st 2019, around 19 lakh applicants did not find their names on it. The majority of exclusions, nearly 11 lakh names were not Muslim. These figures must be looked at in the context of, what the Supreme Court itself had relied upon in its judgment in Assam Sanmalita Case. It records - “On 14th July, 2004, in response to an unstarred question pertaining to deportation of illegal Bangladeshi migrants, the Minister of State, Home Affairs, submitted a statement to Parliament indicating therein that the estimated number of illegal Bangladeshi immigrants into India as on 31st December, 2001 was 1.20 crores, out of which 50 lakhs were in Assam.”.

The NRC updating exercise has now become like Wordsworth’s Lucy, A list with “none to praise and very few to love”. The question is what is to be done with those who do not figure in the list. Mass deportation is not possible. No country will be willing to reclaim nearly two million people, most of whom who were not born anywhere else but India. Does the state of Assam detain them, or does the centre provide a path to citizenship, for all or some. It is in this context that the Citizenship Amendment Act of 2019 and the opposition thereto must be seen.

At this stage, the CAA of 2003 during the earlier NDA regime must be looked at. It was passed with the support of several opposition parties. The Bill was discussed more as a ‘Dual Citizenship Bill’ for the introduction of the idea of the Overseas Citizen of India. But the CAA 2003, introduced a new term called ‘illegal migrant’ - a foreigner who had entered India without a valid passport or visa, or had overstayed his visa. So now a Foreigner had two subsets - the illegal migrants and the other foreigners. CAA 2003 also introduced one more change. It said that those classified as illegal migrants could never become citizens of India and What’s more, the children born from the a union of a citizen and an illegal migrant could never get citizenship. The CAA 2003 also introduced another a Nationwide Register of Citizens. Another introduction in 2003 was the National Population Register which was not in the Amendment Act, but was provided in the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.

At this juncture it is difficult to say why these amendments were necessitated, when Citizenship by registration or naturalisation were not by right, but were discretionary. The government always had the discretion to allow or not, any application for citizenship by registration or naturalisation. However, with the blanket demonization of ‘Foreigners without papers’ in CAA 2003, India effectively made it impossible for any foreigner living without papers in India for whatever reason – fleeing persecution, economic opportunities or otherwise – to apply for citizenship. A further crisis was a created by which children born out of the union of an Indian citizen and a ‘foreigner without papers’ could also not apply for citizenship.

After the BJP came into power again in 2014, they set out to correct their mistake made in CAA 2003. They opened up Long term Visas for those non-Muslims fleeing Pakistan and who entered India before December 2014.

Subsequently they extended the facility of Long Term Visas for non-Muslims fleeing from Bangladesh and Afghanistan. The Union Home Ministry issued a notification, first exempting religious minorities fleeing persecution i.e. Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians from Pakistan and Bangladesh from having a passport as required by the Passport Rules. A subsequent notification included Afghanistan in the list of countries mentioned in the above notification. These notifications though discriminatory as they recognised only certain persecuted minorities went largely unnoticed. In 2016, a Bill reflecting this discrimination was introduced in Parliament, seeking exemption for Hindus, Buddhists, Jains, Sikhs, Christians, and Parsis from Pakistan, Bangladesh and Afghanistan from being classified as 'illegal migrants'. Thus an attempt was made to apply the concept of 'illegal migrants' of CAA 2003 only to Muslim foreigners. The 2016 Bill however lapsed with Parliament's term.

The BJP's manifesto for the 2019 election contained the following paras under the heading 'Nation First'.

"12. We are committed to the enactment of the Citizenship Amendment Bill for the protection of individuals of religious minority communities from neighbouring countries escaping persecution. We will make all efforts to clarify the issues to the sections of population from the Northeastern states who have expressed apprehensions regarding the legislation. We reiterate our commitment to protect the linguistic, cultural and social identity of the people of the Northeast. Hindus, Jains, Buddhists and Sikhs escaping persecution from India's neighbouring countries will be given citizenship in India."

"There has been a huge change in the cultural and linguistic identity of some areas due to illegal immigration, resulting in an adverse impact on local people's livelihood and employment. We will expeditiously complete the National Register of Citizens process in these areas on priority. In future we will implement the NRC in a phased manner in other parts of the country."

Thus the BJP manifesto promised Citizenship to only Hindus, Sikhs, Buddhists, and Jains escaping persecution. The manifesto did not promise citizenship to similarly placed Christians and Parsis. Also the manifesto did not cherry pick specific countries from the neighbourhood to identify with persecution. A question is how other countries in the neighbourhood, especially Sri Lanka and Myanmar got excluded in the notifications and in CAA 2019. It may well be political compulsions or legal advice, that made 'Christians and Parsis' to be included in the notifications and in the CAA 2019.

So now we have gone over the full conspectus of circumstances, underlying the Citizenship Amendment Act of 2019 and the protests against it. The act deliberately sets to classify claims of citizenship, based upon the religion of the applicant. Hovering in the background, is the electoral promise to have a nationwide registration of citizens and population. Implicit in that promise, is the possibility of discriminating between citizens and the general population. Today as a republic, we are again questioning constitutional choices made by our founding fathers on secularism and on citizenship.

Citizenship of the United States of America, is often described by two culinary metaphors - the melting pot and the salad bowl. Into the melting pot, go a whole host of ingredients to melt into a compound American, whose ancestry can be one part Cherokee, one part African, two parts Chinese and four parts Ukrainian, or some other such composition. In a salad bowl, however the ingredients mix, but do not fuse. Hence we have Indian-Americans, Chinese Americans, Latino-Americans and what not. Whether salad bowl or melting pot, there is no doubt however that the vessel is all American. As Thomas Paine put it, "Our citizenship in the United States is our national character. Our citizenship in any particular state is only our local distinction. By the latter we are known at home, by the former to the world. Our great title is AMERICANS -- our inferior one varies with the place."

If we were to extend culinary metaphors to Indian Citizenship, my dish of choice would be the bhel-puri. That marvellous mixture, best had on a Bombay beach, has puffed rice (murmura), savoury crisp noodles (sev), fried crisp puris, chopped onions, coriander & spices all tossed together with a dressing of tamarind, mint and cilantro chutney. Each ingredient

is separate and distinct, can be singled out, picked up and separately consumed. However when these ingredients are mixed in the right proportions, and tossed in an overall common vinaigrette, the resultant mixture is an explosion of delight on the tongue and heart. The Bhelpuri that is India, has Maharashtrians, Gujaratis, Bengalis, Punjabis and many more, who are also Hindus, Muslims, Sikhs, Christians, Buddhists. An Indian's multiple markers of identity, often leave both majoritarian and minoritarian elements in the same individual. As a Kannadiga Hindu living in Delhi, I am part of a religious majority, and of a linguistic minority. Yet I am as wholly and fiercely Indian, as the most orthodox Pandit from Varanasi or Maulvi from Deoband, for whom Hindi is a shared majority language.

Over seven decades of a shared Constitution, cricket, Bollywood and a philosophy of "kindly adjust, we are like this only", has seen a stable nation emerge. India maybe an ancient civilisation, but as a modern republic it is barely seventy years old. For seventy years, this republic has trundled along on an implicit assumption of citizenship. If the



PC- Google Images

operation of a temporary or permanent brute majority in Parliament, enables the division of the general population into citizens and others on sufferance, a house divided against itself, will not long endure. It is upto us who cherish the Constitutional promise of liberty, equality and fraternity to step and defend those fraternal bonds that have kept us together.

On the streets of India, from Shaheen Bagh to Kerala's distant shores, citizens have stood up to redeem that pledge in the Indian Constitution's poetic preamble. Indians now seek to secure to all its citizens, "JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation.". These pledges cannot be redeemed if our citizenry is divided by rulers, into the rightful and the doubtful. Martin Luther King Jr, had dreamt that " one day this nation will rise up and live out the true meaning of its creed: - 'We hold these truths to be self-evident, that all men are created equal.'" Let Indians too dream on. Jai Hind.

