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## "NRC se Azadi": Process, Chronology, and a Paper Monster

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### **Abstract**

This article considers the demands for *azadi* (freedom) from the National Register of Citizens (NRC) that were central to the protests that swept through India over 2019-2020. It does so by considering the processes through which such a gargantuan bureaucratic exercise would be executed as well as through a consideration of its attachment to the Citizenship Amendment Act (CAA). This leads to a conceptualization of the NRC as a "paper monster" possessed of the power to divide and devour India. The article argues that the bureaucratic processes demanded by the NRC would greatly exacerbate the violence of paperwork that lies at the heart of the Indian state. The NRC will strengthen the longstanding dubiousness associated with all documents and can only culminate in the creation of an alternate paper-based reality of who really is an Indian.

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### **Full text**

- 1 On the 21st November, 2019 the Home Minister of India, Amit Shah, announced the extension of a nation-wide National Register of Citizens (NRC) in Parliament. Soon after slogans and posters demanding "NRC se *azadi*" (freedom from the NRC) and "NRC *waapis-lo*" (take the NRC back) were to become central to the anti-CAA protests that spread like wildfire across India. On the face of it, the NRC is just another bureaucratic modality of identifying and documenting its citizens—a desire to know who is an Indian, which has been central to the post-colonial state as it was to the colonial state (Sriraman 2018). India is not alone in this statist drive to fully verify its citizens with similar sorts of registers, fairly common in for instance, Western Europe. Interestingly, the more overtly dangerous and technologically new form of identification—Aadhaar—has not provoked a public outcry in India similar to those in

other countries. If we compare the introduction of a biometric ID in India to other parts of the world, we see stronger resistance and critiques with countries like the UK abandoning a comparable biometric-based ID project. Why, then, did azadi from the NRC become so central to the public protests? And how did this proposed register come to vocalize a wider sense of discontentment with the politics of the contemporary Indian state?

- 2 In this paper, I demonstrate the need for "NRC *se azadi*" through recourse to two words that the Home Minister has used in his speeches over 2019: "process" and "chronology." While "*aap chronology samjhiye*" (you understand the chronology) is now one of the more famous of Shah's utterances; the process part is somewhat less widely commented on. Yet, I argue that the NRC-as-process is as, if not more, sinister than the NRC as part of a CAA-NRC chronology.

## NRC-as-process

- 3 Two aspects of the NRC are, by now, well known. The first is that Assam has served as the laboratory of the NRC. As Suraj Gogoi has noted, "the soul of NRC is to be located in Assamese nationalism" and specific ideas of who belongs and does not belong to Assam.<sup>1</sup> Secondly, as many members and followers of the BJP do not tire of reminding everyone, it was a Congress-led government that had originally agreed to an NRC for Assam in 2005 under the Assam Accord. The process only began in 2015 in earnest with a demand made to prove—through the production of documents—that the individuals or their ancestors were present in India before March 24, 1971.<sup>2</sup> By 2018 nearly 33 million people had submitted their documents (*kaghaz*). When the first list came out, a staggering 4 million of them did not find their names featured in the NRC.<sup>3</sup> In the more recent second round 1.9 million people were left out. The processes around provision of proof, the bureaucratic challenging of testimonies and the mistakes made, as well as the tribunals that were set up for families and individuals seeking inclusion in the Assam NRC continue to be documented by certain sections of the media and research scholars.<sup>4</sup> The terrifying rush to produce documentary proof of being Indian rather than an "alien," the ordeals of the foreigners' tribunals that those appealing their exclusions had to endure, and the Kafkaesque bureaucracy that ended up pushing several thousands into detention centers and into a limbo of statelessness all demonstrate the monstrous power of this paper-based register. While the Assam exercise has been shelved for reasons that are believed to relate to the number of Hindu Bengalis who were left out, its costs—human lives lost/destroyed, anxiety caused, time wasted, expense of conducting the exercise, use of bureaucratic labor—are incalculable.
- 4 There are some specifics to the Assam case stemming from its border with and complex history with Bangladesh, that lend a particular hue to the Assam NRC. The wider understanding that the current government is trying to push through is that the all-India NRC is a different beast, so to say. In the same speech in which he proclaimed the extension of a nation-wide NRC, Shah also said that nobody needs to be scared of the NRC as "it is just a process." But what sort of a bureaucratic process will the NRC be in practice and why might it be more dangerous than any other Indian state practice of identification or registration to-date?
- 5 There are, obviously the questions of the costs of an exercise as gargantuan as the NRC as well as of state capacity to execute it. As Niraja Gopal Jayal has noted "The Assam NRC is reported to have cost ₹1,600 crore with 50,000 officials deployed to enroll almost 3.3 crore applicants in an exercise that even its champions acknowledge to be deeply flawed, as it ended up excluding 19 lakh people. On this basis, and taking as an indicative number the Indian electorate of 87.9 crore, a nationwide NRC would require an outlay of ₹4.26 lakh crore, which is more than double the presumptive loss in the 2G scam, and four times the budgetary outlay for education this year."<sup>5</sup> Above all, as Jayal has compellingly argued, beyond the prosaic nature of costs, the question of state capacity, and the presence of competent bodies to undertake this bureaucratic labor, is the question of what the moral legitimacy of such an act is. As the Indian state

would bleed itself dry in its attempt to register legitimate citizens and exclude so-called aliens, the entire population of the state would be enacting a confounding drama of proving they are really Indian.

6 My intention here is to conduct a little thought-experiment on what sort of processes will be set into motion if the nation-wide NRC is, indeed, to go through. In doing, so I draw upon my longstanding ethnographic research within small government offices with the frontline bureaucracy in northern India (Mathur 2016). The NRC is a process that requires those who self-identify as citizens of this nation-state to furnish evidence that confirms them as, indeed, Indians. What precise form this evidence—in terms of the types of documents or “specified particulars” required to be presented—might take for the NRC at the national level is still to be confirmed.<sup>6</sup> If the Assam exercise is anything to go by, then collecting the documents required might be an impossible task for most of India.

7 If the burden of documentary proof remains as heavy as it was in Assam, then the critique is self-evident: most Indians—especially the poor, illiterate, women, members of marginalized communities such as Adivasis and Dalits—do not—*cannot*—possess the documents that prove their citizenship. Unable to provide this documentary proof, several millions of people would shift status, as it were, overnight from being rights-bearing Indian citizens to stateless beings. Such massive disenfranchisement through a reliance on evidence as impossible to provide would, surely, be a first in the history of modern nation states anywhere in the world.

8 It is quite possible that the measure of proof demanded by the Assam NRC will not be replicated at the national level, not least because it has been widely considered a colossal failure. There have been mutterings and vague declarations that this is going to be a “simple procedure,” though what that would be remains to be seen. Let us say, for the sake of argument, that the threshold of proof—by which we mean papers, documents, IDs and other material artefacts of the state—is somewhat less of an impossibility than it was in the Assam case. In other words, the documents required to allow for an individual to enter the NRC are not as stringent and arbitrary as in the Assam case. This would *still* make the process of getting your name registered on the NRC a difficult one due to a striking feature of the bureaucratic state: its constant doubting of the veracity of almost all documents, especially those submitted by citizens.

## Doubting Documents

9 There is a long history to this fear of forgery and generalized doubting of documents in India (Raman 2012). This mistrust had, paradoxically, formed the *kaghazi raj* or rule by documents that has been the basis of governance in India since at least colonial times. This is a method of rule that is predicated upon very material forms of governance—documents and files of all sorts. It is also a form of rule by paper that is, as I have previously argued, only being further strengthened under neoliberal strictures of transparency and accountability (Mathur 2016). It was clear to me during my fieldwork that the question of whether a document is *farzi* (fake) or is an *asli* (real) one has been a central and constant preoccupation of almost all bureaucrats. The combination of seals, letterheads, stamps, signatures, prose-styles, and movement through appropriate procedures and files is what lends some reassurance to them that the document in consideration is, in fact, not *farzi* (Hull 2012). The question of establishing authentic proof in the form of trustworthy documents becomes particularly intense when they are dealing with IDs or any form of documentation that confers some entitlement or benefit to citizens (e.g. Singha 2009, Chottray and McConnell 2018).

10 Even in cases where there are targets on local bureaucrats to expend money or confer entitlements, there is much suspicion of documents and testimonies, and a huge reluctance to accept them as legitimate. What then of an exercise such as the NRC which is almost defined by its lack of trust in the individual as a legitimate member of the state? How much doubting will be in operation then? One of the most ominous

aspects of the NRC is that it further institutionalizes mistrust of individuals and the doubting of documents in at least three ways.

- 11 First, through the creation of a bureaucratic category of a “doubtful citizen.” We know that most claims by citizens of the state are immediately regarded with intense suspicion. Even when the correct documents are presented as proof, they too are considered carefully for potential *farzi*-ness. Now the NRC—through rule 4(4) under the citizenship rules laid out in the Ministry of Home Affairs order published in 2003<sup>7</sup>—will actually institutionalize such doubting by creating a term that can be conveniently and indiscriminately deployed. Words and categories matter profoundly in bureaucratic worlds. They open up the space for an action that might not previously have existed.
- 12 Secondly and relatedly, there is no procedure as yet for who a doubtful citizen is and how the Local Registrar might arrive at that conclusion. This obscurity can—and will—be extremely dangerous as it vests huge discretionary power within the body of the Local Registrar who can decide that someone is doubtful *even if they do possess the “particulars” required*. Imagine turning up with a complete file only to be told that there is something dubious about the documents but what precisely the doubt is about cannot be made clear. Yet, it is quite enough for an individual to be classified as a “doubtful citizen.”
- 13 Thirdly, there is the further step of allowing *anyone to raise an objection* to your name being added on the draft of the Local Register of Indian citizens. Such an objection can be made within 30 days of the draft being published after which “the Subdistrict or Taluk Registrar shall consider such objections and summarily dispose of the same within a period of ninety days.” In other words, they will have 3 months to consider the objection to the inclusion of a name in the local register before they send it “upwards” in the state hierarchy to the District Register, which will further move the list up to the NRIC. Once again, we do not know on what grounds objections can or will be raised and how the concerned official will consider the objection. What we do know is that it will create extreme pressure on both the bureaucracy and the individuals wanting to get their names registered, adding to the overall dubiousness of documents and testimonies and ceding immense power to a few officials with minimal measures of regulation and redress.

## Paper Tiger

- 14 If one feature of Indian bureaucracy is its obsession with paperwork, which is simultaneously valued and mistrusted, another one is blind proceduralism (Gupta 2012, Sharma and Gupta 2006, Mathur 2016). No matter how mundane or ridiculous, the following of ordained process is considered the safest means to fend off potential criticisms and future audits. It also serves local officials well when they are confronted, as is inevitable, with a barrage of mixed and contradictory messages. The mixed messaging with the NRC was already in evidence with the Home Minister noting that there were some “communication gaps” between him and Prime Minister, Narendra Modi. These communication gaps referred to speeches in which the two of them said very different things with, for instance, the PM refuting the talk of an all-India NRC being rolled out soon.<sup>8</sup> Such contradictory statements and “communication gaps” where, for instance, the Home Ministry says one thing and the PMO says another are entirely commonplace in the everyday life of the Indian state. Furthermore, as these orders move from New Delhi to the states and then further down the state structures to districts and blocks, the policies—in broken down, sequential, do-able acts—become even more mangled.
- 15 What happens when a particular bureaucratic process is initiated but the local state finds it hard to fathom with mixed messaging—political, judicial, executive—coming in from all angles? In my experience, an obsession with adhering to the (imagined) stipulated procedure sets in, centered upon the production of more and more paper, the holding of more and more meetings, and the putting together of a material—paper—world of the state. It leads to the establishment of an alternate, *sarkari* (official) world

of paper that has a tenuous connection to the *asli*, or what is real. This is the Indian state as a paper tiger. Such is the power of this bureaucratic logic that is tethered in procedure, rules, paper, and a particular hierarchical following of the orders in the face of which, as I have argued in the case of the National Rural Employment Guarantee Act, 2005 (NREGA) even well-intentioned laws falter. What then of the NRC, which is so patently about drawing out sharp lines of inclusion and exclusion?

- 16 This strict adherence to a complex and unclear procedure with a central reliance on documents—including those that are impossible to produce and those that are considered dubious—will create havoc of a form unprecedented in the entire history of the Indian state. We have already seen in the case of Aadhar how exclusions or faulty operations of the ID have led to widespread suffering including hundreds of human fatalities (Khera 2019). The costs of being left out of such state-ordained systems of recognition are indescribable, especially for minorities and the poor.

## No Kaghaz

- 17 Several prominent individuals have stated that they will refuse to show their papers or register as someone other than themselves in the NPR and/or NRC as an exercise in civil disobedience. Much like the "NRC se azadi" slogan, the phrase "*hum kaghaz nahin dikhaenge*" (we will not show our papers) also became a rallying cry for the anti-CAA and NRC protests.<sup>9</sup> While the intention of such an act is laudatory as in the sense of solidarity such a public positioning is striving for, it is worth remembering that these stances can only be adopted by those who are in positions of relative privilege. Additionally, it is only if a vast number of Indians—if not all of them—do agree to enter false information or boycott the NPR-NRC processes that such forms of civil obedience can work. As it stands and despite the impressive numbers of anti CAA and NRC demonstrations that were—in pre-pandemic times—visible all over India, when and if the NPR and NRC verification processes commence most Indians will have perforce to participate in them. For the vast majority of Indians, especially those who have been historically discriminated against and are in positions of structural weakness, the alternative to not being entered into these registers is not just a social or political death, but also quite possibly a *literal one*.

- 18 Amit Shah has claimed in one TV interview that no documents will be required to be registered for the NRC.<sup>10</sup> Even if that were to be the case, though one cannot see how it would be possible given the logic and structure of the Indian state, there would still be gross exclusions from the NRC. This would involve a devolving of all power to the level of the Local Registrar who would then have a *carte blanche* to discriminate against members of marginalized or vulnerable communities, such as Muslims, women, Adivasis, and Dalits. Or even if she does not belong to any of these collectives but, for some reason, was to offend the street-level bureaucrats then she could easily be turned away. If she were to press for grievance redress, provided such a structure were even to be established in reality and not just on paper, then too she would face similar forms of prejudicial treatments. This is how discrimination operates sociologically and what an exercise with stakes as high and procedures as weak as the NRC would immediately open up.

## NRC-as-chronology

- 19 What of the relationship between CAA and NRC? Jayal (2019) has comprehensively laid out why the CAA and NRC are, as she puts it, "manifestly conjoined in their objectives" (pp. 5). The NRC can hurtle erstwhile citizens into statelessness and the confines of a detention center. The CAA offers citizenship to those who belong to specific faiths, from which Islam is most noticeably absent. Jayal (2019) has laid out the unconstitutionality of the CAA as well as the manner in which the wicked twins of CAA-NRC have the potential to transform India "into a majoritarian polity with gradations of

citizenship rights that undermine the constitutional principle of universal equal citizenship" (pp. 5). This precise potential was made crystal clear in a word that Amit Shah himself used in a speech he gave— "chronology." More precisely, Shah said at a political rally: "*aap chronology samajhiye*" (you please understand the chronology) in which he clearly linked the CAA and the NRC together.<sup>11</sup> If we understand the Shahi chronology then the seeming beneficence of offering citizenship to those of the chosen religious denominations and states makes sense not as a humanitarian gesture, but rather as a way of smuggling the Hindu Rashtra in by the backdoor under the garb of a law that does not explicitly say it discriminates against Muslims. First, the CAA will offer citizenship to those who are deemed to fit into the Hindu Rashtra. Then the NRC will conveniently—under the garb of depoliticized bureaucratic neutrality and technicalities such as possession of evidentiary documents—eliminate those (read: Muslims) that do not fit. The CAA does not make sense without the NRC and the NRC could become dangerous to the ruling regime—because of the development of Assam-like situations—without the CAA (Image 1).

**The CAA-NRC chronology explained by a poster at Shaheen Bagh, December 2019.**



20 Much like the unmitigated disaster that was demonetization, it is obvious that the current government of India has not thought through what a process such as the NRC will lead to. In all probability, it will quickly become a Frankenstein's monster and spin out of the control of the present regime. Assam is a perfect example of this.<sup>12</sup> Muslims would, undoubtedly, be prime victims in this battle of delineating who is Indian and who is not. In addition, this prejudicial exercise would leave out many more types of Indians, including those who are protected by the CAA. For instance, a poor, lower-caste Hindu who lives in central India and cannot trace roots back to Pakistan, Bangladesh or Afghanistan or, more accurately, cannot provide documents to that effect would also be in a highly precarious position. Given the generalized distrust of documents and the improbability of physically having the types and full complement of evidentiary documents that could/should convince officials of such a basic identity—citizenship—the NRC is going to devour many more than its intended victims. In the process, it will also open the floodgates to all forms of oppressive behavior by the local state ranging from petty bribery to more insidious and overtly violent types of control. The wicked CAA-NRC twins, if unleashed, will divide and devour India in ways that cannot be underestimated. Together, they will cause suffering of a peculiarly bureaucratic form: by creating a suffocating paper-based reality of who is really an Indian; a *kaghazi duniya* (world of paper) we will struggle to be part of and find

impossible to escape—whether our names make their way into the register or not. NRC *se azadi* is definitely a battle worth waging.

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## Notes

1 The Polis Project. 2020. "Suddenly Stateless Conversation Series V: Procedure as Violence." Audio Podcast Transcript. March 27. Retrieved on November 27, 2020 (<https://thepolisproject.com/suddenly-stateless-conversation-series-v-procedure-as-violence/#.X6VvvGj7SUK>).

2 This date was chosen on the basis of the year of the creation of Bangladesh.

3 See Gogoi, Suraj. 2019. "How NRC Legitimised Xenophobia and Chauvinism in Assam." *Countercurrents.org*, May 25. Retrieved on November 27, 2020 (<https://countercurrents.org/2019/05/how-nrc-legitimised-xenophobia-and-chauvinism-in-assam/>).

4 This task of documenting the human fallouts of the NRC has been taken up by journalists such as Rohini Mohan and Arunabh Saikia as well as research scholars like Suraj Gogoi. *Scroll.in*, for instance, ran a series entitled "Humans of Assam" that showed the human costs of exclusion from the NRC, thus moving beyond cold statistics to give a glimpse of the profound suffering this sudden statelessness has caused.

5 Jayal, Niraja Gopal. 2019. "The Misadventure of a New Citizenship Regime." *The Hindu*, November 27. Retrieved on November 27, 2020 (<https://www.thehindu.com/opinion/lead/the-misadventure-of-a-new-citizenship-regime/article30090226.ece>).

6 For a sense of the types of documents that might be required, see Pisharoty, Sangeeta Barooah. 2019. "Nationwide NRC: Here's a List of Documents You May Have to Furnish if Assam is the Model." *The Wire*, November 21. Retrieved on November 27, 2020 (<https://thewire.in/government/india-assam-nrc-documents>).

7 Ministry of Home Affairs. 2003. "Notification." December 10. Retrieved November 27, 2020 ([https://censusindia.gov.in/2011-Act&Rules/notifications/citizenship\\_rules2003.pdf](https://censusindia.gov.in/2011-Act&Rules/notifications/citizenship_rules2003.pdf)). Rule 4(4) reads: "During the verification process, particulars of such individuals, whose Citizenship is doubtful, shall be entered by the Local Registrar with appropriate remark in the Population Register for further enquiry and in case of doubtful 4 Citizenship, the individual or the family shall be informed in a specified proforma immediately after the verification process is over."

8 For instance, Prime Minister Modi claimed this in late December 2019 just days after the Home Minister, Amit Shah, had made an announcement in Parliament rolling out nation-wide NRC.

(Mathew, Liz and Abhinav Rajput. 2019. "PM Narendra Modi: No Talk of NRC at All, Lies Being Spread About Detention Centres." *The Indian Express*, December 23. Retrieved on November 27, 2020 [https://indianexpress.com/article/india/pm-narendra-modi-citizenship-amendment-law-nrc-bjp-campaign-delhi-6179940/]).

9 See, for instance, this particular rendition of the slogan: Aisi Taisi Democracy. 2020. "Hum Kaagaz Nahi Dikhaayenge." YouTube video. Retrieved November 27, 2020 (https://www.youtube.com/watch?v=AISW4N6uGQA).

10 Shivam Vij on Twitter, accessed November 27, 2020, https://twitter.com/DilliDurAst/status/1207263602148724736?s=20

11 Venkataramkrishnan, Rohan. 2019. "Who is Linking Citizenship Act to NRC? Here are Five Times Amit Shah Did So." *Scroll.in*, December 20. Retrieved on November 27, 2020 (https://scroll.in/article/947436/who-is-linking-citizenship-act-to-nrc-here-are-five-times-amit-shah-did-so).

12 See Hasan on the ways in which the spectre of the CAA and NRC together is already affecting life in neighbouring Meghalaya. (Hasan, Nafis. 2020. "CAA and NRC Stoke the Wrong Problems in Meghalaya." *Journal of the Association for Political and Legal Anthropology*, September 7. Retrieved on November 27, 2020 [https://polarjournal.org/2020/09/07/caa-and-nrc-stoke-the-wrong-problems-in-meghalaya/]).

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## List of illustrations



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