

# Sunset for Assam NRC, Sunrise Over Pan-India NRC



**PALLAB BHATTACHARYA**

THE controversial National Register of Citizens (NRC) in Assam appears to have been discarded for all practical purposes. That is the message emanating from Indian Home Minister Amit Shah's remarks made in the Rajya Sabha on November 20. Shah said whenever the NRC exercise is held across India, it will be repeated in Assam where the publication of the final updated document on August 31 this year set off a hue and cry over the exclusion of 19.6 million people. "The NRC exercise in Assam was undertaken as per an order of the Supreme Court and as per an Act. When the NRC exercise is replicated across the country, it will naturally have to be repeated in Assam," Shah said. There could be no stronger proof that the NRC exercise in Assam, conducted for four years at a cost of 1,600 crore rupees, has been given a quiet burial.

The NRC in Assam did not satisfy anyone—its proponents and opponents—for a variety of reasons. Within hours of Shah's statement in the upper House of parliament, Assam Finance Minister and a senior leader of the ruling Bharatiya Janata Party, Himanta Biswa Sarma, enumerated the reasons why the "erroneous" NRC in the state was not acceptable to his party and government, and demanded a pan-India NRC with Assam within its ambit. The sequencing of the remarks by Shah and Sarma on the same day was hard to miss.

The rejection of the NRC exercise in Assam came almost three months after the Supreme Court rejected the pleas of the

Indian and Assam governments for a sample re-verification of the names "wrongfully" included and excluded in the final NRC—20 percent in Assam's districts bordering Bangladesh and 10 percent in other parts of the state. Assam NRC Coordinator Prateek Hajela had at that time told the apex court that re-verification of 27 percent of the names had already been conducted.

Shah's November 20 statement did not just put the NRC exercise into the deep freeze but also gave a key component of the contours of the proposed countrywide exercise. "I want to make it clear again that people, whichever religion they belong to, should not feel scared. Everybody will be included in the NRC," he said. Indian home ministry officials maintain that a pan-India NRC can take place only after the National Population Register (NPR) is updated which is expected to be done along with the Census in 2021. In fact, the NPR, the officials said, would provide the



People check their names after the publication of the final list of the National Register of Citizens (NRC) in the Morigaon district, Assam, on August 31, 2019. PHOTO: AFP

*The experience of Assam NRC might throw up a useful lesson for a similar exercise countrywide. What happens to the people who might be out of the pan-India NRC? Can the pitfalls encountered in Assam be avoided in the proposed new initiative?*

basis for the new NRC exercise.

The home minister's announcement of a country-wide NRC evoked a sharp reaction from opposition parties along expected lines—West Bengal Chief Minister Mamata Banerjee, CPI(M)-ruled Kerala's Minister for Minority Welfare KT Jaleel, and senior Congress leader Anand Sharma pointed out that present law does not allow a nationwide NRC. The BJP in Assam was put on the spot by the final NRC, made public on August 31, because an estimated 12 million of the 19.6 million kept out of the document were reportedly Hindus. Prateek Hajela, a senior official who presided over the huge complex exercise, was transferred out of Assam with the approval of the top court. Hajela had

come under fire from almost all quarters over the project allegedly marred by widespread irregularities.

The experience of Assam NRC might throw up a useful lesson for a similar exercise countrywide. What happens to the people who might be out of the pan-India NRC? Can the pitfalls encountered in Assam be avoided in the proposed new initiative?

In the midst of the continued debate over whether a pan-India NRC was desirable, what often tends to go unnoticed is that the exercise in Assam was context-specific as it flew out of the 1985 Assam Peace Accord signed by the Indian government, Assam administration and the outfits that had waged a long-drawn violent agitation against

illegal immigrants in the state in 1970s and 1980s. The Assam Accord was the product of the politics of identity—politics based on ethnicity and language—and played out on the dynamics of "outsider versus insider" debate of the demography of Assam. It also saw the birth of insurgency in the state. That politics took little note of the fact that Assam has for centuries witnessed the influx of people from some South East Asian countries, including what are now Myanmar, Thailand and Cambodia. While Assam had provided a historical backdrop for the NRC exercise, most of the other Indian states do not have that.

Despite the ethnic and linguistic fault lines exposed by the agitation against illegal immigrants in Assam, one inescapable fact of that movement is that it was, by and large, religion-neutral. Shah was right when he said on November 20 that the NRC did not provide for faith-based exclusion. That being so, it is open to debate whether the BJP government's proposed Citizenship Amendment Bill (CAB), which is an offshoot of the NRC in Assam and seeks to give Indian citizenship to non-Muslim immigrants in India, is the right step. A logical question is: if the NRC is religion-neutral, can the CAB also be the same?

The CAB, which the BJP wants to use to give citizenship to Hindus excluded from the final NRC, has already seen a groundswell of resistance in the entire north-east of India including recent street protests and shutdowns. The BJP government has included the CAB in its legislative agenda for the ongoing winter session of parliament. It remains to be seen if it goes ahead with it.

Pallab Bhattacharya is a special correspondent for The Daily Star.

# Global turmoil: Ethics offer a way out of the crisis



**JAMES M DORSEY**

RARELY is out-of-the-box thinking needed more than in this era of geopolitical, political and economic turmoil.

The stakes couldn't be higher in a world in which civilisationalist leaders risk shepherding in an era of even greater political violence, disenfranchisement and marginalisation, and mass migration.

The risks are magnified by the fact that players that traditionally stood up for at least a modicum of basic economic, social, political and minority rights have either joined the civilisationalists or are too tied up in their own knots.

The United States, long a proponent of human rights, even if it was selective in determining when to adhere to its principles and when to conveniently look the other way, has abandoned all pretence under President Donald J Trump.

Europe is too weak and fighting its own battles, whether finding its place in a world in which the future of the trans-Atlantic alliance is in doubt, Brexit or the rise of civilisationalist leaders within its own ranks.

The long and short of this is that civil society's reliance on traditional strategies and tactics to exert political pressure serves to fly the rights flag but is unlikely to produce results. The same is true for traditional, often heavy-handed and violent government attempts to quell protests.

In some ways, this weekend's landslide vote for pro-democracy forces in Hong Kong lays down a gauntlet for the governments of the city and China.

"Even if the current wave of protests recedes, the instability will very likely persist for some time and may even become a permanent situation... because the problems that cause the protests appear unresolvable by means of the current political and economic system," said Israeli journalist Ofri Ilany.

Mr Ilany put his finger on the pulse. This decade's global breakdown in confidence in political systems and leaders not only

spotlights the problem but may also create opportunities for out-of-the-box thinking.

The key lies in the fact that protesters across the globe in Santiago de Chile, La Paz, Bogota, Port-au-Prince, Quito, Paris, Barcelona, Moscow, Tbilisi, Algiers, Cairo, Khartoum, Beirut, Amman, Tehran, Jakarta, and Hong Kong as well as movements like the Extinction Rebellion essentially want the same thing: a more transparent, accountable and more economically equitable world.

The Middle East and North Africa, the one part of the world that exasperates the most, also represent the worst and the best of

Lee Kwan Yew, saw power as a tool to secure national rather than personal interests and at a time of crisis worked with civil society to engineer a national dialogue that crafted a way forward.

Similarly, Kuwait, a constitutional semi-democratic anomaly in a region governed by secretive autocrats, recently opted for a more transparent competitive approach towards politics.

As a result, Kuwait saw this month its ruling family take its internal differences and disputes public. The differences forced the government to resign as members of

before the law of not only individuals and organisations but also states. It further involves the need to make principles of right and wrong, and of respect of human dignity, the moral and ethical underpinnings of the architecture of a new world order by which all ranging from an individual to a state are judged.

That is the fundamental message of protests across the globe that denounce a world in which financial or economic benefit justifies violations of rights and civilisationalists have abandoned any pretence of adherence to international law.

Heeding the protesters' message means ensuring that at least international law provides an effective mechanism to hold accountable security forces that use lethal force against largely peaceful protesters as well as politically responsible officials that authorise unjustified brutality in what often amounts to mass killings.

This year's numbers speak for themselves, including some 100 on a single day in Sudan, more than 350 in a matter of weeks in Iraq, more than 100 in Iran and scores in Chile.

The need for morals and ethics is gaining momentum with hardline realist proponents of the projection of power as well as some leaders raising the alarm bell.

The rise of artificial intelligence persuaded former US Secretary of State and national security advisor Henry A Kissinger, a symbol of realpolitik and the wielding of power, to recognise the importance of morals and ethics.

Writing in *The Atlantic*, Mr Kissinger warned that the consequence of artificial intelligence "may be a world relying on machines powered by data and algorithms and ungoverned by ethical or philosophical norms."

Threats resulting from the abandonment of international law and the lack of moral and ethical yardsticks were evident in this month's unilateral recognition by the Trump administration of the legality of Israeli settlements in occupied Palestinian territory, long viewed by jurists and the international community as illegal.

The move highlighted the link between protecting individual rights and freedoms and national security.

Malaysian Prime Minister Mahathir Mohamad warned that the administration's

move meant that "we are no longer safe. If a country wants to enter our country and build their settlements, that is legal. We cannot do anything."

Mr Mahathir was projecting onto states a sentiment of vulnerability felt among protesters and minorities across the globe that results from the random, unrestricted employment of power by those in positions of authority.

Similarly, Singapore's Chief Justice Sundaresh Menon warned last month that "countries increasingly adopt a zero-sum mentality in eschewing multilateral agreements as shackles on sovereignty and a burden on economic growth."

Mr Menon's words must have been music in the ears of Norway's successful USD 1 trillion rainy-day oil fund that has proven that growth and profitability are achievable without abandoning norms of moral and ethical investment.

Norway's Government Pension Fund Global (GPF), the world's largest sovereign wealth fund, returned three percent or USD 28.5 billion to the country's pension pot in the second quarter of 2019.

Guided by Norway's Council of Ethics, which monitors the fund's investments, GPF recently blacklisted shares in British security company G4S because of the risk of human rights violations against its workforce in Qatar and the United Arab Emirates.

Said New York Times columnist David Brooks: "The world is unsteady and ready to blow... The big job ahead for leaders... is this: Write a new social contract that gives both the educated urban elites and the heartland working classes a piece of what they want most."

To achieve the kind of social and economic justice as well as live-and-let live environment that Mr Brooks advocates, leaders, governments and civil society will have to rediscover and readopt the moral and ethical values that are embedded in the world's multiple cultures and common to much of mankind.

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Demonstrators carry national flags and light candles during an anti-government protest near al-Amin mosque in Beirut, Lebanon. PHOTO: REUTERS/MOHAMED AZAKIR

responses to the global clamour for change.

While Egypt under general-turned-president Abdel Fattah Al Sisi is almost a textbook example of what drives global protest, Tunisia and Kuwait offer lessons to be learnt. So do some of the world's longer standing success stories such as Singapore.

Tunisia has emerged as the one country that experienced a successful revolt in 2011 and was able to safeguard its achievements because its leaders, much like Singapore's

the ruling family accused each other of embezzlement in advance of parliamentary elections scheduled for next year and a possible succession in which the assembly would have a say.

Achieving the protesters' goal of more equitable and accountable political and economic systems involves not only adherence to the rule of law, including the implementation of international law, and application of the principle of equality

ON THIS DAY  
IN HISTORY

November 27, 1895  
**Nobel Prizes established**  
Through the will drawn up by Alfred Bernhard Nobel, the Swedish chemist, engineer, and industrialist who invented dynamite and other, more powerful explosives, the Nobel Prizes were established on this day in 1895.

CROSSWORD BY THOMAS JOSEPH

ACROSS

1 Office fixtures

6 Apparition

11 Spouse's kin

12 Blood line

13 Cherry center

14 Mixes up

15 "1984" author

17 "Skedaddle!"

18 Miniature

19 Take the stand

22 Homer's neighbor

23 Fuel gas

24 Ready for war

25 White of "Family Matters"

27 Bro's kin

30 "Two thumbs up!"

31 Little jump

32 Broad st.

33 Utah neighbor

35 In a way, informally

38 Mail, as payment

39 Raring to go

40 Piano piece

41 Winter weather

42 Rx amounts

DOWN

1 Renounce

2 Menu choice

3 Decelerated

4 Welles role

5 Suffered in the heat

6 Argon or xenon

7 All the rage

8 Source

9 Discord

10 Flavorful

16 Pounder's cry

20 Protected

21 Smidgen

24 Hearty brew

25 Merry

26 Redress

27 Gumshoe

28 Kelp compound

29 Outpourings

30 Fishing spots

34 White House power

36 River of Scotland

37 Skill

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11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42

11-16

YESTERDAY'S ANSWERS

GALAS EXILE LENIN BOAS ASH SLATE HOMER FOLD INTOW SCON TENSE

YIELD UNDE PAWLS DATA WALK PIER CODER OFF FAL RUN USA INNS BREW ETAL ALOOF PENNE EDGED

BEEBLE BAILEY by Mort Walker

BABY BLUES by Kirkman & Scott