



MODI'S CITIZENSHIP AMENDMENT ACT: PAKISTANI HINDUS HIT A REALITY CHECK

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(Views expressed in the brief are those of the author, and do not represent those of ISSI)



Carrying the burden of their shattered dreams, another batch of Pakistani Hindus and Sikhs returned back to their homes in Pakistan from India on November 27, 2020. These people had gone to India in search of better economic opportunities. The reality however was far from their expectations. Upon their return back to Pakistan, they confided that there are hardly any economic opportunities for Pakistani Hindus in Modi's India and the extreme poverty and dangerous threats to life had made the living miserable.¹

These returning migrants also confided that the promises of granting Indian citizenship to religious minorities of Pakistan, Bangladesh and Afghanistan under its Citizenship Amendment Act (CAA) are a farce and a trap.²

The controversial and exclusionary Citizenship Amendment Act passed by Modi government on December 11, 2019,³ that seeks to grant fast track Indian citizenship to Hindus, Jains, Buddhists, Christians and Sikhs from Pakistan, Bangladesh and Afghanistan has not only created ripples within India but has a potential of creating problems for the neighboring countries as well.

¹ "More Hindu families return home with shattered dream of better life in India," *The News International*, November 27, 2020, <https://www.thenews.com.pk/print/750015-more-hindu-families-return-home-with-shattered-dream-of-better-life-in-india>

² - Ibid.

³ - "Citizenship Amendment Act comes into effect," *Tribune*, January 10, 2020, <https://www.tribuneindia.com/news/nation/citizenship-amendment-act-comes-into-effect-24392>

The Act seeks to facilitate Hindus and members of other religions except Muslims from neighboring countries to get Indian citizenship in case they can prove that they have been facing persecution in their respective country and have been living in India for the last 6 years. The Act is deeply linked with National Register of Citizens (NRC) of Assam.⁴ As the process of NRC was completed, the BJP government realized that the names of many Hindus have been left out. Hence, the CAA was introduced to help all such Hindus whose names could not be included in the list to get Indian citizenship.⁵ The Indian government intends to extend this exercise in other states of the country as well which practically means that only Muslims would be left out and will be forced to either move to other neighboring countries or spend the rest of their lives in detention centres.

The discriminatory nature of the Act forced the Muslims of India supported by segment of society that still believes in the constitutional and secular values to strongly protest the discriminatory law. Neighboring countries also raised their voice at the suggestion by Indian government that Bangladesh, Pakistan and Afghanistan do not treat their religious minorities fairly. Apart from that, the possibility of migration of Indian Muslims to neighboring countries as a result of NRC and similar exercises in other Indian states is another very serious concern.

Another drawback of the Act is that it lures the religious minorities of the neighboring countries who feel that by migrating to India and getting Indian nationality through fast track system will open doors of opportunities for them. This however, is far from reality.

Often, upon arrival in India, their passports and other documents are taken by local police thereby making it very difficult for these migrants to either return back to Pakistan or travel to any other part of India. Whatever little money they have, it is taken by the lawyers and used in fulfilling other formalities. These migrants have to deal with poverty, filth, and a lack of electricity and clean drinking water with garbage and open sewers around them. There are hardly any basic health facilities and the migrants have to brave the weather conditions as well since they live in makeshift

⁴ -National Register of Citizen refers to the exercise of registering the names of people who can prove their Indian citizenship. The stated aim of exercise was to identify illegal migrants to either send them away to their respective countries or put them in detention centers for the rest of their lives. As a result of this exercise, some 1.9 million people did not find their names in the list and now face the threat of being stateless.

⁵ "Citizenship Amendment Bill: India's new anti-Muslim law explained," *BBC News*, December 11, 2019, <https://www.bbc.com/news/world-asia-india-50670393>

huts. Worst, their dream of a better life and opportunities shatters when they face discrimination and are looked down upon for belonging to the Dalit caste - lowest in the Hindu caste hierarchy.⁶

Few months back, the collective suicide of 11 members of a Pakistani Hindu family was another incident that created ripples in the media. It was on August 9, 2020, that 11 members of a Pakistani Hindu family were found dead under mysterious circumstances in their hut which they had rented in Jodhpur district of the state of Rajasthan in India.⁷

While the authorities in India tried to portray the incident as suicide due to harassment by the family members of one of the daughter -in -law, the family members who remained in Pakistan believe that their kin were killed by RSS-BJP workers after their refusal to speak against Pakistan.⁸ The incident has caused great unrest in the Pakistani Hindu community who even went to the extent of going for a protest in front of the Indian High Commission in Islamabad.⁹

The intolerance in India under Modi is not only limited to religious minorities. Unfortunately, whoever raises voice against this discrimination has to pay a price. The decision by the rights group Amnesty International to wind up its operations in India after its bank accounts were frozen by the Indian government is one such example. While announcing its decision, the Amnesty said on its website, "It is a dismal day when a country of India's stature, a rising global power and a member of the UN Human Rights Council, with a constitution which commits to human rights and whose national human rights movements have influenced the world, so brazenly seeks to silence those who pursue accountability and justice."¹⁰ The Amnesty had been critical of the Indian government's record on human rights, particularly in Kashmir. Recently, in a report on communal riots in Delhi which had taken place in February 2020, the group had blamed, "Delhi police pelting stones on the rioters, torturing people, dismantling protest sites used by peaceful protesters and being mute

⁶ "Safe but betrayed: Pakistani Hindu refugees in India," *Diplomat*, January 22, 2019, <https://thediplomat.com/2019/01/safe-but-betrayed-pakistani-hindu-refugees-in-india/>

⁷ "11 members of Pakistani migrant family found dead in India : Report," *Dawn*, 9 August, 2020, <https://www.dawn.com/news/1573476>

⁸ "Pakistan Hindu Council demands justice for 11 Pakistanis killed in India," *Express Tribune*, September 22, 2020, <https://tribune.com.pk/story/2265120/pakistan-hindu-council-demands-justice-for-11-pakistanis-killed-in-india>

⁹ "Hindus rally against Jodhpur killing," *Express Tribune*, September 25, 2020, <https://tribune.com.pk/story/2265565/pakistani-hindus-continue-protest-over-jodhpur-killings-outside-indian-high-commission>

¹⁰ "Amnesty International India halts its work on upholding human rights in India due to reprisal from govt of India," *Amnesty International*, September 29, 2020, <https://www.amnesty.org/en/latest/news/2020/09/amnesty-international-india-halts-its-work-on-upholding-human-rights-in-india-due-to-reprisal-from-government-of-india/>

bystanders as rioters wreaked havoc in Delhi.”¹¹ Earlier, in another report which was released after one year of revocation of Article 370, the group had demanded release of all political prisoners in Illegally Indian Occupied Jammu and Kashmir.¹²

With each passing day, the growing intolerance in the Indian society towards its own minorities and Dalits is becoming more evident. By introducing the CAA, India tried to imply that Pakistan, Bangladesh and Afghanistan do not treat their minorities fairly but in reality, it is India where its own religious minorities and Dalits are becoming vulnerable with each passing day. It is important that Hindu minorities in Pakistan, Afghanistan and Bangladesh should be aware of all the pitfalls before they fall prey to the delusionary CAA.

¹¹ “Briefing : Six months since Delhi riots, Delhi police continue to enjoy impunity despite evidence of human rights violations,” *Amnesty International*, August 28, 2020, <https://amnesty.org.in/publications/6-months-since-delhi-riots-delhi-police-continue-to-enjoy-impunity-despite-evidence-of-human-rights-violations/>

¹² “Situation update and analysis : Jammu and Kashmir after one year of abrogation of Article 370,” *Amnesty International*, August 5, 2020, <https://amnesty.org.in/publications/situation-update-and-analysis-jammu-and-kashmir-after-one-year-of-abrogation-of-article-370/>