



How the
disenfranchisement
of
Muslims
in a
remote
Indian
province
spawned
Modi's
new
draconian
citizenship
law.

'They
Are
Manufacturing
Foreigners'

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ne November morning in 2015, a 37-year-old woman named Sahera Khatun received a notice summoning her to a foreigners' tribunal. Sahera was living at the time in Sukharjar, a riverine village in the remote Indian state of Assam. She had moved there from Morabhaj, where she was born, after her marriage to a daily wage laborer named Amir. Sahera had given birth to five children in Sukharjar and seen nothing of the world beyond these two villages and the temperamental rivers that regularly inundate huts and farmland there. Yet the summons required her to prove that she was a citizen of India and not an illegal migrant from the neighboring country of Bangladesh. If she failed to make an appearance, the tribunal would declare her a foreigner and arrest her.

On the appointed day, Sahera and her husband made the two-hour journey in a crowded tempo to Foreigners' Tribunal No. 6, in the town of Barpeta. It was the first of many such appearances. Over the years, with the help of lawyers working pro bono, Sahera submitted a series of documents, including land records, copies of electoral lists and a marriage certificate. She was cross-examined by the official, as was the chief of the village she lived in.

In June 2018, the tribunal delivered its verdict. Sahera, on her lawyer's advice, stayed away, as she was likely to be detained if the verdict went against her. She was unable to state when she was born, at what age she married or how old her parents and grandparents were when they first voted, the tribunal official noted. The documents she submitted were considered inadequate and untrustworthy, as was the testimony of the village chief. The tribunal ordered the police to take her into custody as an "internee" until she could be deported.

I met Sahera this year in the village where she is now hiding. It is a fertile area an hour's drive from Barpeta town, with huts built of corrugated tin looking down on fields lush with rice, corn, potatoes and garlic. In the monsoons, the nearby Brahmaputra River — which originates in Tibet to the north and makes its way through Assam and into Bangladesh to the south — floods the fields. The tin shacks, blazing hot in the summer months, are easy to dismantle should the river rise high enough to inundate the embankments on which they are erected.

As I was led into a room with a dirt floor, neighbors began to crowd in, faces taut with wariness. A folder thick with papers lay on a plastic table. Sahera's lawyer had appealed the tribunal decision with the high court in Guwahati, the seat of

government in Assam. But the high court upheld the tribunal verdict, and the case of Sahera Khatun v. the Union of India will now have to be heard at the Supreme Court in New Delhi. Sahera is already a fugitive. If the Supreme Court also rules against her, no one can say what might happen to her.

The neighbors waited outside while I spoke to Sahera and her husband. Amir did most of the talking, speaking softly in Bengali. Sahera, her face turned away from me, wept silently under the hood of her sari. Amir, whose own citizenship was not in dispute, told me that he and Sahera knew no other country than the one where they lived and where their parents lived before them. They had migrated to this village from nearby Sukharjar because, like the village where Sahera grew up, it had been eroded by the Brahmaputra. It was a phenomenon so common that there was a word for people displaced by the river: *nodibhongo*, or, literally, "broken by the river."

Neither Amir nor Sahera had received any schooling, and they did not know how to read or write. Amir worked delivering goods on a pushcart until he fractured his left leg. Now he sold vegetables in the nearby market, worrying about Sahera, who had lost her appetite and been unable to sleep ever since the tribunal notice arrived. I pointed at the documents on the table, to Sahera's thumb impressions prominent among the endless text and legal seals. "We don't even understand what's written in there," he said.

Sahera is one of around two million people in Assam who have been rendered stateless. Many are Bengali Muslims, a vast majority of them marginal farmers and daily wage laborers, who have nonetheless become the focus of a sustained campaign of disenfranchisement by Prime Minister Narendra Modi's Hindu nationalist government, led by the Bharatiya Janata Party or B.J.P. Portrayed as illegal migrants from neighboring Bangladesh, they have become mired in a Kafkaesque system of accusations, trials and imprisonment, which spawned a nationwide citizenship act that has been compared to Nazi Germany's Reich Citizens Law.

The Hindu right has long identified border regions like Kashmir and Assam as places to raise the specter of a Muslim threat. But while Kashmir has often been used to conjure the danger of secession, Assam represents, in the rhetoric of Hindu extremists, a more insidious menace — that of a steady, cross-border influx of Muslims guaranteed to make Hindus a persecuted minority in their own country. Assam is largely peripheral to historic Indian civilizations as well as to modern India — Guwahati lies more than 1,000 miles east of Delhi, with China and Myanmar far closer. Yet Assam has become central to the question of who is — and who is not — entitled to be a citizen in India.

In July 2018, Assam published a National Register of Citizens that was intended to be a definitive record of citizenship. Any resident of Assam whose name did not appear on it would have to go before a foreigners' tribunal to plead their case: They would

have to prove that they were born in Assam before 1971, when Bangladesh gained independence from Pakistan and refugees flooded into the state, or that they were the children of such a person. If the tribunal declared them foreigners, their only recourse was the courts. The "national" in the N.R.C. is, however, misleading. It applies only to the state's multiethnic population of some 33 million, a third of whom are Muslim, although Modi threatened to create a similar citizens' register for all of India. When the initial version of the N.R.C. was released, the names of nearly four million people were left off and their citizenship put in question. Amit Shah, then the B.J.P.'s president and Modi's able lieutenant, declared that these *ghuspetiyas* — a Hindi word for "infiltrators," widely understood to be a derogatory code word for Bengali-speaking Muslims — would be deported to Bangladesh.

As those omitted from the N.R.C. wrestled with how to prove they belonged in Assam, a "final" version of the list was produced in August 2019, this time excluding 1.9 million people. But the B.J.P. discovered that it had run into a snag. The process of creating the lists had been expensive, confusing and traumatic — people killed themselves after discovering they were not on them — and prompted special rapporteurs at the United Nations to raise questions about their discriminatory nature. Of the nearly two million people potentially rendered stateless, many were Bengali Hindus as well as Bengali Muslims. This posed a problem for the B.J.P., which regarded Bengali Hindus, a significant group in the rest of India and a majority population in the Indian state of West Bengal, as essential to their majoritarian nation of one billion Hindus.

By December 2019, the B.J.P. had passed a nationwide law to get around this problem — the Citizenship Amendment Act. The C.A.A. would allow Hindu, Christian, Jain, Buddhist, Sikh and Parsi migrants from Afghanistan, Pakistan and Bangladesh to claim Indian citizenship and, in theory, allow Bengali Hindus excluded from the N.R.C. to apply for citizenship too. Pointedly, the only major religious group in the region excluded by the C.A.A. were Muslims.

This spring Assam held state elections, with the B.J.P. campaigning fiercely to maintain its majority coalition in the state legislature. A win would mean even more Bengali Muslims swept into N.R.C.-like dragnets. Already, the future for those caught in what has been described as the largest mass disenfranchisement project of the 21st century looks bleak. The foreigners' tribunal declaring Sahera an illegal migrant had ordered her to be kept as an "internee" until she could be "deported" or "pushed back" to "her specified territory," but Bangladesh refused to accept Assam's mass of newly rejected Bengalis as its citizens. They might not be wanted in Assam and in Modi's India, but there was no place they could go.

I first came to know of Sahera's plight at the law offices of Aman Wadud in Guwahati. It was

February, and anxieties about the coronavirus pandemic had, for the moment, given way to a fever pitch of anticipation about the upcoming state elections. A pink-and-blue bungalow sitting in a back lane off a large, green pond, Wadud's office gives off the sleepy, relaxed air of old Guwahati, a welcome contrast with the bumper-to-bumper traffic and construction dust that choke the main thoroughfares. It is here, with something of the convivial atmosphere of a college dorm, that Wadud and his fellow lawyers work on representing the people rendered stateless.

In addition to the 1.9 million people left out of the N.R.C. list, some 150,000 people had already been declared illegal migrants by the system of foreigners' tribunals. Established in 1964 to hear the cases of those accused of being undocumented migrants, the tribunals went into overdrive during the years the N.R.C. lists were being prepared. There may be an overlap between those left off the N.R.C. lists and those processed through the tribunals, but because the records are separate, it is impossible to say. And more than one agency is involved in accusing people of being foreigners. Since the late 1990s, the election commission has been examining old voter records in Assam and marking out individuals as "Doubtful" or "D" voters. The names of these D voters are passed onto the border police, which in turn sends them to the tribunals. The border police, which has officers in local police stations, is tasked with identifying illegal migrants and carries out its own random checks on people. Those it considers to be lacking sufficient proof of citizenship are given a summons to appear at the tribunals.

The burden of proof is always on the accused, and the tribunals, run by lawyers appointed and paid handsomely by the government, are notorious for their hostility to the supplicants. The only point of clarity is that in a state where the dominant language, culture and much of the upper bureaucracy is Assamese, a majority of those excluded are Bengali speakers, with particular hostility reserved for those who, like Sahera, Amir and Wadud himself, are Bengali Muslims.

Wadud, who is 35, has an intense, scholarly air until he begins to talk about cricket. He also happens to be among the exceptions in a community that — settled in Assam's riverine lowlands as farmers by the British in the 19th century — is largely impoverished and undereducated. His father was a professor of Arabic, and Wadud himself studied law in Bangalore and interned in Delhi with the renowned civil rights lawyer Prashant Bhushan. Yet he recalled, with something between distress and bemusement, being called a traitor when going to high school in Guwahati. "I would pray for an India win in cricket," he said. "I had sketched an Indian flag on my arm. But to some people, I was still a Bangladeshi, a foreigner."

Wadud returned to Assam from Delhi in October 2013, in the wake of a clash between Bengali Muslims and Bodos — one of dozens of tribes

Aman Wadud, a lawyer representing people rendered stateless, in his office in Guwahati. Opening pages: Sahera Khatun, one of Wadud's clients.



that make up Assam's multiethnic society. The violence, which took place over two months in the summer of 2012, left at least 78 people dead and more than 300,000 in relief camps, the largest such displacement in post-partition India. In May 2014, Bengali Muslims were attacked by suspected Bodo militants near Manas National Park. Women and children were shot as they fled toward a river; people were thrown into huts that had been set ablaze. Survivors said that among their masked attackers were park rangers whom they recognized from their daily interactions, but the B.J.P., rapidly rising in Assam as a political force, portrayed the events as a clash between encroaching Bangladeshis and indigenous Bodos.

"There is absolute impunity when Bengali Muslims are killed," Wadud said, recalling his work setting up legal-aid camps in the area around Manas. He accompanied witnesses to court in Guwahati, but no convictions have yet resulted from the ensuing trials. Soon after, he was inundated with requests to take on foreigners' tribunal cases. "Every ethnic and religious group in Assam migrated here at some point in history," he said. "But it is only the Bengalis, who traveled upriver, who are seen as outsiders."

Those who are declared foreigners find the legal process incomprehensible, Wadud said. Many of the accused are women, who typically marry young and are unable to inherit property. Without education, possessions or a life outside the home, they have almost nothing in the way of documents to prove their identity: no school certificates or voting records or property deeds. This was probably why Sahera found herself in the cross hairs of almost

every investigating body; marked as a D voter and judged a foreigner by a tribunal, her name never appeared in the N.R.C.

Wadud began reading out statements from the tribunal's verdicts. I was drawn to Sahera's story by a piece of sophistry in her case; the verdict noted that it was not clear if the *gaonburah* — the village chief — who said he had known the defendant since childhood meant the defendant's childhood or his own childhood. Couldn't the tribunal have asked the *gaonburah* whose childhood he meant when he was being questioned? "Exactly," Wadud replied.

Behind him, through the open windows, I could see gaunt, bearded men working on a neighboring building. Snatches of music drifted in, the lilting Bengali folk tunes of the lower Brahmaputra region. I would see the scene repeat itself, with slight variations, through the coming weeks — wiry, dark-skinned men doing low-paid physical labor. These Bengali workers are sometimes beaten up by a vigilante group called Veer Lachit Sena, which considers them outsiders who take jobs rightfully belonging to the Assamese. Wadud turned to follow my gaze. "All the work is done by us," he said. "The construction, the cleaning, the daily wage labor. The city survives on crops grown by us. But they are manufacturing foreigners."

The identification and removal of foreigners, accompanied by a sealed border with Bangladesh, has been a longstanding demand on the part of the Assamese, but it took Modi's government to merge Assamese nationalism with Hindu nationalism and begin the chain of events that would result in a nationwide citizenship law. The identity

Jahida Begum with important documents that prove citizenship. Her son-in-law, Faizal Ali, committed suicide after being excluded from the National Register of Citizens.



and culture of high-caste Hindu Assamese centers largely on the northeastern part of the Brahmaputra River valley where the Ahom dynasty ruled until the 1800s, an area commonly referred to as Upper Assam. Bengalis from the lowlands of the south are seen as a menacing foreign presence, threatening to overwhelm the province demographically.

The dominant Assamese are a mix of Tai Ahom who migrated from Southeast Asia in the 1300s, tribes that preceded them and upper-caste Hindu who migrated from the Gangetic plains as Ahom society became increasingly Hinduized. In the early 19th century, Britain absorbed Ahom-ruled Assam into its Indian territories and encouraged Bengali speakers, both Hindu and Muslim, to settle this new frontier zone as farmers, laborers and minor officials. Assam was administered as a part of Bengal until 1873, with Bengali imposed as the official language by the British. Assamese speakers found themselves marginalized. “Much of the anxiety among the Assamese springs from that time,” Sanjib Baruah, a professor of political studies

at Bard College, told me. Baruah, who in his columns for *The Indian Express* has often criticized the N.R.C. process and the suffering it has caused, pointed out that both Bengali Hindus and Muslims were vastly more educated than the Assamese-speaking population during this colonial period. “All the desirable jobs were being taken by them,” he said, “in part because Bengal had been colonized earlier and Bengalis were therefore much more familiar with colonial norms.”

The creation of India and Pakistan in 1947, with the eastern wing of Pakistan neighboring Assam, produced a stream of Bengali Hindu refugees into Assam — my father among them. Another wave of refugees, both Hindu and Muslim, entered Assam when East Pakistan descended into civil war in the 1970s, followed by the creation of Bangladesh in 1971. “The refugee presence was visible everywhere in Assam at the time,” Baruah said, adding that this influx of refugees triggered a huge protest movement referred to as “the Assam agitation.”

The agitation targeted Bengali “foreigners” — who were suspected of voting in large numbers

and skewing electoral results — and swelled through the late ’70s and early ’80s. Its gruesome highlight was the massacre of at least 2,000 Muslim villagers in the paddy fields around a town called Nellie. The Congress government then in power in Delhi responded with concessions to the Assamese agitators. An agreement signed in the mid-1980s promised that all those who crossed the border into Assam after midnight on March 24, 1971 — a date chosen to exclude the stream of refugees from the Bangladesh war of liberation that began on March 25 — would be identified and deported.

Delhi did little to enforce this agreement over the decades. Instead, its neocolonial approach — the exploitation of natural resources, like tea and oil reserves, and the treatment of Assam as a frontier zone to be defended against China — was soon met with an armed Assamese secessionist movement that demanded an independent Assamese nation. The Indian government moved quickly to suppress it, invoking the Armed Forces Special Powers Act to suspend all civil liberties and engaging in frequent arrests, torture and

extrajudicial executions of secessionists through the '80s and '90s.

In the late 1990s, S.K. Sinha, a former army general, was appointed governor of Assam and charged with overseeing counterinsurgency operations. He sent a report to New Delhi claiming that the “unabated influx of illegal migrants from Bangladesh” was a primary cause of the armed insurrection. Making a distinction between “Hindu refugees” and “Muslim infiltrators,” he warned of a future in which Muslim-majority districts, backed by “the rapid growth of international Islamic fundamentalism,” would demand a merger with Bangladesh, cutting off Assam, with its “rich natural resources,” from the rest of India.

The report was merely official confirmation of how the Hindu right was beginning to channel Assam’s nativist anxiety about Bengali-speaking “foreigners” into its own religious agenda. Throughout those years, the Hindu right worked tirelessly to fuse Assam’s linguistic nationalism with its own majoritarian vision of a Hindu nation, in which Muslims would always be foreigners. Indeed, the decline of the secessionist movement would coincide neatly with the Hindu right’s rise.

In 2014, campaigning to form the next national government in India, Modi addressed a crowd just days after the massacre of Bengali Muslims near Manas National Park. Using dramatic pauses, he promised that once he came to power, Bangladeshis in India would have to pack their bags and leave for good. Two years later, Modi was the prime minister, and the B.J.P. won state elections in Assam for the first time, campaigning against a backdrop of graffiti depicting “invading” ants and crows and a slogan that promised an Assam “free of foreigners, free of corruption, free of pollution.”

The National Registry of Citizens soon became the centerpiece of the B.J.P.’s ascendance in Assam. The Supreme Court judge who set the registry in motion was Ranjan Gogoi, an Assamese later promoted by the B.J.P. to chief justice. And the B.J.P. chief minister of the state, Sarbananda Sonowal, was a former member of an Assamese nationalist party, who in 2005 successfully petitioned the Supreme Court to require those accused of being foreigners to prove that they weren’t — not the state to prove that they were. The N.R.C. would also shift the burden of proof onto the accused. In one of the strikingly perverse rules around a process already capricious and brutal, individuals were allowed to demand, through “objection letters,” the exclusion of names that were included on the first N.R.C. list. No proof had to be given, and those sending the letters — 200,000 such letters were dispatched — were not required to appear before investigating agencies. Those denounced, however, had to prove their citizenship all over again. Even as the N.R.C. process was unfolding, those declared illegal migrants by the foreigners’ tribunals began to be called into police stations and incarcerated. They were held

The Brahmaputra River, which flows through the state of Assam and into Bangladesh. It floods frequently, displacing those who live along it.



largely in separate sections within existing prisons, but construction had also begun on a stand-alone detention center meant to house 3,000 inmates. Plans were drawn up to build 10 more such detention centers with similar capacity. At the same time, the government said it would triple the number of foreigners’ tribunals to nearly 300 and announced plans to computerize records and use biometric information to track the so-called foreigners in real time and ensure they received no state benefits.

It was not until the passage of the Citizenship Amendment Act in December 2019 that the B.J.P.’s painstakingly constructed merger of Assamese and Hindu nationalism came under threat. In seeking to ensure that Bengali Hindus left out of the N.R.C. could demand citizenship through the C.A.A., the new law inspired fear among the Assamese that Bengali Hindus residing in Bangladesh would see it as an invitation to enter Assam in large numbers. Violent protests broke out in Assam against the C.A.A., with five demonstrators shot dead on the streets of Guwahati. Flights and long-distance trains were canceled, cellular and internet communications were suspended and a curfew was imposed on the city while security forces set up roadblocks to frustrate the thousands of massed Assamese protesters.

Modi was re-elected in May 2019 as prime minister with a sweeping majority; the protests against the C.A.A. constituted the first major challenge to his authority. While Assamese demonstrators raged in the streets against the C.A.A. and demanded an even more stringent N.R.C., crowds elsewhere in India gathered to protest both the

C.A.A. and the threat to expand the N.R.C. to the rest of India. The B.J.P. backpedaled, denying that the list produced in Assam was final or that the N.R.C. would be expanded, but Modi himself remained silent. Eventually, as concern mounted that the N.R.C. was merely a trial run for disenfranchising more than 200 million Muslims (the U.S. Commission on International Religious Freedom, a bipartisan governmental advisory body, was calling for sanctions), Modi made a public appearance. Waving his hands and modulating his speech in the manner of a Bollywood star, Modi described talk of detention centers for Muslims as an outright lie and asserted that there was not a single one in all of India.

By the time I visited Lower Assam in February, the annual floods had come and gone. Villagers had been displaced along the Brahmaputra as usual, settling in temporary camps along the riverbank until they could return home and rebuild their shacks. Now there was the urgency of getting things done before the rains returned, and people trudged along the edge of the highway, picking their way through the sandbanks exposed by the receding water.

In Barpeta town, villagers who had been summoned to foreigners’ tribunals, which were located in a shopping center filled with cellphone and electronics stores, waited in narrow hallways to be called inside. Others, mostly middle-aged women exhausted by a lifetime of physical labor and bewildered by the documents with official seals and stamps that they carried around in crinkled plastic bags, made their way to a small office where a

group of activists known as the Miya poets would help them with their legal appeals.

Abdul Kalam Azad, one of the poets, told me that when the N.R.C. process first began in 2010, a vast, impoverished majority were fearful of what might unfold. Huge public protests against the N.R.C. had taken place in Barpeta, with four demonstrators shot dead by the police. Azad and his friends and other educated Bengali Muslims, however, saw the N.R.C. as an opportunity, believing that, once complete, it would dispel any doubts over citizenship, giving Bengali Muslims definitive, state-sanctioned proof of belonging in Assam.

Many of the Miya poets were among the first generation to be formally educated — Azad himself is a former construction laborer who completed his undergraduate degree through a correspondence course and is now pursuing a doctorate — and they had faith in the power of papers, books and ideas. They tried to help those far more fearful of bureaucracy and the state, traveling to the *chors* — the shifting river islands along the Brahmaputra — to assist the poor, unschooled inhabitants with the arduous paperwork.

As the process unfolded and the cruelties of the system became more evident, Azad and his friends grew more doubtful. Their unease fed their self-assertion as “Miya” poets — their name, an honorific for Muslim males, is commonly used as a slur in Assam — and their verses, inspired by the radical poetry of Gil Scott-Heron and Mahmoud Darwish, were often written in a dialect spoken by Bengali Muslims. Although Assamese readers initially responded favorably, supportive figures were soon drowned out by hostile voices. After a Delhi-based human rights organization made a five-minute video of Miya poets reading their work in July 2019, four separate criminal complaints were filed against 10 of them. They were charged with posing a threat to national security, obstructing the N.R.C. process and defaming the Assamese people as “xenophobic in the eyes of the whole world.” A television host summed up the prevailing sentiment: “If anyone from outside Assam sees this video, they will think a second Rohingya ethnic cleansing has started.”

The charged atmosphere sent the poets into hiding — one was inundated with rape threats; another was warned that he would be killed — but by the time I visited them in Barpeta, their anxiety had given way to something like weariness. Between the first N.R.C. list, which excluded four million, and the final one, which excluded half that number, Azad realized that he and his colleagues had made a mistake in not challenging the N.R.C. from the very beginning. “None of us had the courage to oppose it,” Azad said. “At one point, I began to feel guilty about telling villagers to fill out the forms. We showed them a dream when it was a trap.”

A similar sentiment was expressed to me by Sulaiman Qasimi in Nellie, the place where, 30 years ago, 2,000 Muslims were massacred during the height of the agitation against so-called

foreigners. Qasimi, who lost 12 members of his family that morning, had been listening while I spoke to a couple in their 80s who were incarcerated for almost five years after being declared foreigners. “Many Bengali Muslims aren’t highly educated,” Qasimi said. “They aren’t big businessmen or landlords, and that is why they are sent to detention centers. These cases exhaust all the resources of our people, which means they have nothing left to feed and educate their children, which in turn means their children will never have the education to break out of this cycle.”

That cycle was visible everywhere in Assam, but perhaps nowhere more starkly than on the river island I visited with Azad. Birds skimmed off the river as we went out in a long wooden boat with a makeshift engine, clumps of dirt drifting in the water as reminders of the provisional nature of the *chors*. We passed a rowboat carrying a family, a boy at each end pulling on an oar, two girls and the parents huddled in the middle with bags of rudimentary supplies.

On Kapastoli *chor*, there was no clinic or electricity. The school was a drab concrete structure in which a villager called Faizal Ali hanged himself when he didn’t find his name on the N.R.C. We met his two daughters, girls of 8 and 10 wearing clothes that were little better than rags. Their mother worked in Guwahati as a daily wage laborer. Their maternal grandfather, who had been declared a foreigner by a tribunal, had fled the island and was working as a rickshaw driver in Goalpara, where the first stand-alone detention center was being constructed. The girls had been taken in by extended family and made a living repairing fishing nets. They told Azad that they felt afraid to go near the school, knowing that their father died there.

As we walked on, a family invited us in for tea and told us that the original Kapastoli *chor* had been submerged years ago. The villagers gave this *chor* the same name when they moved here, a gesture strikingly human in its desire to maintain a sense of belonging but utterly futile in the face of the bureaucracy unleashed against them. Apart from the school and a concrete platform built as part of a government program, the state seemed utterly absent, and yet it was present everywhere as the all-encompassing regime of D voters, foreigners’ tribunals and the N.R.C.

More than \$200 million has been spent on the N.R.C., but there is still no resolution to the question of who belongs in Assam. In May 2019, the Supreme Court ordered the release of detainees who had completed three years in prison, as long as they paid a substantial collateral of nearly \$3,000, had their biometrics recorded and reported periodically to their local police station. During the first wave of the pandemic in April 2020, it ordered the release of more detainees.

Fewer than a thousand people now remain in detention in Assam. It is nevertheless unclear what will happen to those who have not yet been

incarcerated — a majority of those declared stateless. Hiren Gohain, who is perhaps Assam’s best-known progressive intellectual and a staunch critic of the Hindu right as well as of India’s counterinsurgency practices, sees the N.R.C. completed in August 2019 as the best solution to an inherently complex situation. He said he understood the frustrations of the Miya poets over how chauvinist sections of the Assamese were targeting Bengali Muslims. Nevertheless, he said, if there was to be any hope of reconciliation — a way to balance the competing claims of the various groups in Assam, including land-poor tribes and impoverished Assamese — Bengali Muslims had to have patience. “Ultimately, only 1.9 million were left out,” he said when I met with him in Guwahati. Of those, Gohain went on, one million would escape punitive measures because they claimed ancestry from Indian states like West Bengal and Bihar, which had not responded to requests for documentation from Assam. “That leaves only 900,000,” he said. “This does not mean a terrible injustice.”

Gohain believes that those unable to prove citizenship should be allowed to go about daily life until they can be resettled but that they should not be allowed to vote. “There are resident aliens in every other part of the world,” he said. “People who enjoy certain rights, but not the political right to vote.” Other proposals that have been aired include denying declared foreigners access to government services, issuing them guest-worker permits or redistributing the population to Bengali-majority states in India, like West Bengal and Tripura. Although put forward as humane alternatives to indefinite — not to say impractical — incarceration, these “solutions” are as oblivious as ever as to those whose lives have been shattered.

The B.J.P. leaders I saw campaigning one bright February morning in Bordowa, a picturesque village in Upper Assam, certainly seemed intent on increasing the number of stateless. Bordowa is the hometown of Sankardev, an Ahom-era religious figure who gave Assam its distinct version of Hinduism, and it is part of a multimillion-dollar project by the B.J.P. government to develop “religious and cultural tourism.” As an Indian Air Force helicopter carrying Shah, now the home affairs minister, touched down, unmasked crowds made their way on foot across emerald-green paddy fields toward the central stage. Much of Assam’s multiethnic population seemed represented in the carnival atmosphere; the only people left out were the Bengali Muslim villagers I passed earlier, walking in the opposite direction and avoiding eye contact with the crowd.

Sonowal, Assam’s chief minister at the time, opened the proceedings. But it was a minister in his cabinet, Himanta Biswa Sarma, speaking next, who, in a move meant to signal the B.J.P.’s confidence in its hard-line Hindu nationalist position in Assam, would be made chief minister after the B.J.P.’s victory there in May. At the rally, Sonowal’s

Construction of the flagship detention center, in Goalpara, for those rendered stateless. The government of Assam recently announced that the centers would officially be renamed “transit camps.”



soft voice soon gave way to Sarma’s testosterone-fueled speech, in which he worked in a denunciation of outsiders at every opportunity, pumping up the crowd by telling them that those attempting to occupy “sacred Indian soil” like that of Bordowa would never be forgiven by the people of Assam.

Finally, it was Shah’s turn. Speaking in Hindi, he reminded the audience that his home state of Gujarat, on the other side of the subcontinent and over 1,200 miles from Assam, was connected by Hinduism to the “sacred land” of Sankardev. When the crowd’s attention seemed to wander, Shah worked in his dog whistles. “The work of freeing Assam of *ghuspetiyas* was begun by the B.J.P. government under Narendra Modi,” he reminded the audience. A solitary Bengali Muslim man near me shifted uneasily in his seat.

The coming months featured plenty such reminders: billboards depicting barbed-wire border fencing as a B.J.P. achievement, Sarma declaring that he did not need the Miya vote. The election manifesto released by the B.J.P. made promises to every ethnic group in Assam except Bengali Muslims. Absent by name, they were the obvious targets of the section titled “Strengthening

Civilization in Assam.” This would be achieved by tackling the threat of “Love Jihad” and “Land Jihad,” the manifesto stated, using the Hindu right’s catchphrases for the supposed menace posed by Muslim men marrying Hindu women and by Muslims occupying land — acts intended, according to the Hindu right, to engineer a demographic shift. Along with this came the promise to “ensure the correction and reconciliation” of the N.R.C. and a reinforcement of the system of border police and foreigners’ tribunals.

With the B.J.P.’s victory in Assam this spring, the symbiosis of Assamese nationalism and Hindu nationalism seemed complete. Sarma, after becoming chief minister, promised a “reverification” of the list, particularly in areas bordering Bangladesh; names on the list would be subject to scrutiny yet again. The Assamese official in charge of the N.R.C., Hitesh Dev Sarma, petitioned the Supreme Court for permission to fully review the list, claiming it contained “glaring anomalies of a serious nature.” (He declined to comment further for this article.)

“What corrections do they want to make?” Wadud said with anguish when I spoke with him after the elections. “This is cruel.” He was waiting

for Sahera’s case to come to the Supreme Court, he said, but he felt that the struggle was becoming more uneven. He saw only more suffering ahead.

Work on the flagship detention center in the district of Goalpara, which has been under construction for more than two years, was proceeding steadily when I visited in February. Yellow watchtowers and staff quarters mark a vast perimeter of red walls, while sloping tin roofs demarcate the area meant for a medical center and a school for children who will be forced to accompany their internee parents. The women’s section is as yet little more than a cordoned-off area, but the men’s quarters are in an advanced stage of construction, three floors of dormitories rising into the blue winter sky. The only structures of comparable size in the area are the military bases squatting on the banks of the Brahmaputra, a reminder of India’s brutal counterinsurgency operations in Assam.

Recently, the Assam government announced that detention centers would be renamed “transit camps,” because that was more “humane.” “You can’t make it ‘humane’ just by changing nomenclature,” Wadud told me. “The only way to humanize things is to stop detaining Indian citizens.” ♦

Contributors

Siddhartha Deb

*“They Are
Manufacturing
Foreigners,”*
Page 44

Siddhartha Deb, who grew up in Northeast India, is a writer of fiction, journalism and cultural criticism. His last article for the magazine was a profile of the writer Arundhati Roy. For this issue, he writes about how the disenfranchisement of Muslims in the remote borderlands where he is from spawned Narendra Modi’s nationwide citizenship law. “I grew up hearing myself called a foreigner,” Deb says. “It left me with a lifelong interest in the ways in which people get divided into insiders and outsiders. It has also meant that all my writing about India challenges Hindu nationalism and its rigid, violent ideas about who is truly an Indian and who is not. Although there were moments in the reporting and writing when I felt utterly bereft, this story returned me to the core of what writing is about — the need to bear witness and the refusal to look away.”

Jeremy M. Lange

*“The Problem
Solver,”*
Page 24

Jeremy M. Lange is a photographer and filmmaker in Durham, N.C.

Zishaan A Latif

*“They Are
Manufacturing
Foreigners,”*
Page 44

Zishaan A Latif is a photographer based in New Delhi known for his intuitive and eclectic style.

Maridelis Morales Rosado

*“Bodies
on the Line,”*
Page 30

Maridelis Morales Rosado is a Puerto Rican photographer and photo editor based in New York focusing on how fashion reveals aspects of identity and culture.

Siobhan Roberts

*“The Problem
Solver,”*
Page 24

Siobhan Roberts is a Canadian journalist and senior editor at MIT Technology Review. Her latest book is “Genius at Play: The Curious Mind of John Horton Conway.” She is currently working on a biography of the mathematical logician Verena Huber-Dyson, forthcoming from Pantheon.

Carina del Valle Schorske

*“Bodies
on the Line,”*
Page 30

Carina del Valle Schorske is a contributing writer for the magazine as well as a translator living in San Juan, P.R., and New York City. Her first book, “The Other Island,” is forthcoming from Riverhead.

Behind the Scenes

*Kathy Ryan, director of photography:
“This week’s cover story is about the return of communal dancing after over a year of social distancing. From June through August, as the pandemic seemed to be subsiding, there was a release of pent-up energy. The author Carina del Valle Schorske (far right, dancing with Alba Delia Hernández at D.J. Tony Touch’s Coney Island Boardwalk set) and the photographer Maridelis Morales Rosado between the two of them went to more than 20 dance parties, documenting and participating in the joy of moving your body among other people.”*



Photograph by Sheila Maldonado for The New York Times

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