

BOOK REVIEW: ANUPAMA ROY, *MAPPING CITIZENSHIP IN INDIA* (NEW DELHI: OXFORD UNIVERSITY PRESS, 2010)

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What does it mean to be a citizen of a country? One notion of citizenship is formal membership in a nation-state. The second notion is the substantive distribution of the rights, meanings, institutions and practices that membership entails to those deemed citizens.¹ One can be a citizen in the formal sense but have varying amounts of power (including powerlessness) to make claims on the State in the substantive sense. Traditional scholarship² emphasised the idea that citizenship was inherently egalitarian and had an inherent impetus towards universality. However, more recently, the fact that citizenship is deeply contested and is experienced and unfolds in specific social fields in different political contexts has also become influential in thinking about it.

Who maps citizenship categories? Who challenges these maps? Who decides on these challenges and what do these decisions portend for legal and substantive citizenship? These are some of the questions answered by Anupama Roy in *Mapping Citizenship in India*. The map denotes the relationship between the citizen and the other where the relationship is not one of simple opposition. “Rather,” she states, “the relationship is one of forclusion where the outsider is present discursively and constitutively in the delineation of citizenship.”³ Roy rightly points out that citizenship’s promise of equality masks hierarchies of caste, class, sex, race and religion. The provision of citizenship disregards the differential ability of persons across classes to exercise the rights or legal capacities (i.e., their claim-making ability). Roy uses the category of the ‘illegal alien/migrant’, which, she says more effectively than any other, signifies the borders demarcating citizenship, and shows how different figurations of migrant have been integral to these ambivalences.

It is more difficult for the reader, however, to decipher Roy’s argument. Roy “hopes to show how the relationship of forclusion makes itself manifest through the intertwined processes of

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¹ See JAMES HOLSTON, *INSURGENT CITIZENSHIP: DISJUNCTIONS OF DEMOCRACY AND MODERNITY IN BRAZIL* (2008).

² See THOMAS H. MARSHALL, *CITIZENSHIP AND SOCIAL CLASS, AND OTHER ESSAYS* (1950).

³ ANUPAMA ROY, *MAPPING CITIZENSHIP IN INDIA* 6 (2010).

encompassment and closure.”⁴ Encompassment works to resolve the contradiction between abstract universalism and difference through the logic of a progressive opening up of democratic spaces. “A paradox inheres in citizenship, which is manifest in the closures which come into play immediately when citizenship unfolds in practice. Closure, therefore, is a simultaneous differential experience of citizenship which accompanies each liberating moment of encompassment.”⁵ She argues that the processes of closure create a breach in the differentiated universalism envisaged by the logic of encompassment. “While encompassment inflected by the propelling force of dialectic, assumes a relationship within which difference may be recognised, closure constitutes a process of denial.”⁶

Roy’s argument seems to be that while the legal constitutional language of citizenship in India has oscillated ambivalently between encompassment and closure, these ambivalences also provide the ‘disturbed zones within citizenship’ (a phrase coined by Partha Chatterjee),⁷ which have the potential to make the benefits of citizenship progressively universal and egalitarian. But the cases analysed in the book seem to demonstrate not the realisation, but the rejection of the potential by the State, which favours citizenship’s association with blood ties and descent.

The book provides a good discussion of the legal cases that have challenged citizenship laws and shifted the philosophical and ideological basis of citizenship (defined in constitutional amendments and judicial interpretations) from democratic, associational, and civic forms to hegemonic integration. This shift is evident in the legal recognition of the Overseas Indian Citizenship (OCI) and by the reinforcement of citizenship’s association with blood ties and descent.

The first chapter examines the legal-formal articulation of citizenship in the context of Partition and State formation, and the manner in which these determined the issues of belonging and legal membership. While the element of choice existed as a possibility for the Hindus and Muslims who were in the throes of moving between India and Pakistan, Roy illuminates the tensions in the manner choice was determined. She focuses on specific categories – ‘registered/Pakistani wives’, ‘alien women’, ‘minors’, and ‘displaced persons’ – to show how citizenship at the commencement of the Republic was riddled with contests. The second chapter, which is the most

⁴ ROY, *supra* note 3, 6.

⁵ ROY, *supra* note 3, 7.

⁶ ROY, *supra* note 3, 7.

⁷ Partha Chatterjee, *Beyond the Nation or Within?*, 56 SOC. TEXT 57 (1998).

thought provoking chapter of the book, examines the politics of place-making and ethno-spaces, and the beginning of a process whereby citizenship's association with descent is affirmed. It assesses the impact of political forces and power relations between the central government and the state of Assam, and the subsequent Supreme Court judgement on the definition and identification of illegal migrants (mainly Muslims from Bangladesh). It shows how the illegality and alienness of the migrant became central to the construction of Assamese identity in the 1980s and how the migrant figured in the relationships of consensus and antagonism with the 'citizen'.

The second part of the chapter has a fascinating account of the distinct idioms of citizenship used by the *Chakmas* of Arunachal Pradesh (Muslim migrants from Bangladesh) and the Arunachalis in the claims they make on the Indian state. The Arunachalis wanted the Centre to make good on the promise of their right to preserve their culture, territory and resources, and protect them against the claims to the same by outsiders like the *Chakmas*. The *Chakmas*, on the other hand, claimed a different type of protection – they wanted recognition of their substantive membership as citizens which went beyond the legal category of 'refugee'. The Arunachalis wanted differentiated citizenship, while the Chakmas wanted universal undifferentiated citizenship. The final result was influenced by the "change in the ideological basis of the state into a 'security state' where the 'dangerous' and 'disruptive presence' of the 'illegal alien/migrant' effectively ossified the borders of citizenship against whom the community and its territory needed to be fortified."⁸ The third chapter focuses on the Citizenship (Amendment) Act of 2003 and the shift towards associating citizenship with blood ties and descent.

Roy, however, does not push the envelope enough or tackle the conditions under which the 'disturbed zones within citizenship' become transformative in a positive sense and when they fail to do so. The analysis is better while describing citizenship as a legal category than when discussing the differential ability of citizens, particularly the migrant working class, to make claims on the State (to which she refers in a brief concluding chapter).

Anthropologist James Holston has argued in the context of Brazil that the Brazilian formulation equalises social differences for national membership but legalises some as the basis for differentially distributing rights and privileges among citizens. He asks in his book, *Insurgent*

⁸ ROY, *supra* note 3, 133.

Citizenship: Disjunctions of Democracy and Modernity in Brazil, how the application of a particular type of citizenship generates their discriminations. Having rights does not, he says, translate into power.⁹

Roy tackles a similar question in the conclusion, but the discussion of how these ideological shifts have resulted in a corresponding trajectory of disenfranchisement of the migrant workers in cities is rather abridged. Roy shows us the plight of urban migrants purely through the lens of the courts' judgements (which have tended in recent years to see migrants in cities as unwanted encroachers and a burden on the city's resources). This focus on the courts could have however been expanded to include non-state actors, which would then have given the reader a more nuanced perspective on how the lived experiences of the peripheries become the context and substance of a new urban citizenship, and how insurgent citizenship impacts democracy, urbanisation and privatisation.

⁹ See HOLSTON, *supra* note 1.