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Counting Citizens in Assam: Contests and Claims

The superfast Rajdhani Express train stops for less than two minutes in western Assam's Kokrajhar station. The brief halt is usually a hurried one as day travelers jostle each other to catch the train to the capital city Guwahati. However, on March 15, 2020, with the possibility of a lockdown and govern-ment-sponsored information to remain home, the station was almost empty as I got on with another person. Both of us wore masks and found ourselves in a compartment that was nearly empty, a rare occurrence on a train that makes a long 2,300–kilometer journey from New Delhi to Dibrugarh in Assam. "People are afraid of this corona, so they are not traveling," he said as he went on to explain that he had been invited to a local college in Kokrajhar to receive an award for his many innovations in machinery. A middle-aged person from the eastern part of Assam, he had spent all his adult life tweak-ing and twirling machines to ensure that they could be built at a low cost and for people who were engaged in various kinds of agriculture. By then, the idea of a self-declared, self-imposed quarantine for travelers from abroad was being considered and debated. "I would feel uneasy declaring anything to the administration, you know," he said as we were offered complementary tea on the train. "They will lock us up, just like they want to with the illegal immigrants in the detention centers . . . so, I would rather stay home quietly and not disclose any symptoms," he added pursing his lips, as if to announce that we ought to speak about other matters.

For me, this fortuitous encounter reveals the outcome of several decades of militarization and political mobilization in Assam that implicate both the state and those seeking to challenge it. It speaks about the inver-sions that happen when governments appropriate selective portions of dis-

senting narratives in order to perpetuate their control over resources and territory. The recent interest and focus on citizenship debates in Assam (and India, more generally) were upended by the Novel Coronavirus pandemic. However, in the course of this essay, I draw on three important factors that have contributed to the current predicament, where the Indian state and its citizens in Assam display different ideas about what constitutes an association of equals. They are: (a) the tensions between autonomy and social justice in Assam; (b) the history of counter-insurgency and governance in the region; and (c) the emergence of software and technology as arbiters of an old twentieth-century question that continues to animate politics into the first quarter of the current one.

Together, they constitute an apparatus of the Foucauldian kind, where the network created between the three serves to illuminate juridical, technological, and military power relations within society (Agamban 2009). In looking at the manner in which the apparatus came to be established, one is able to make sense of a paradox where the state that claimed to have contained insurgency continues to treat sections of its citizens as potentially dangerous. Indeed, since the detention of rebel leaders and commencement of peace talks between them and the government, one can argue that political violence between the state and insurgents has declined in Assam since 2010–11. However, this has not nurtured a milieu where communities have been able to air grievances and resolve old disputes. Instead, the violence has been directed against neighbors, a process that has been abetted by sustained political campaigns against immigrants. Therefore, as Anupama Roy (2002: 29) pointed out, when the government of India amended the country's citizenship laws in 2003 it "emphasised the wall of separation between citizens and non-citizens by inserting in the section on citizenship by birth, the distinction between those who were born to Indian parents and were Indian citizens through descent and blood ties, and those who could not make such claims to citizenship by birth." This fostered the creation of an adversarial environment within Assam, where an enduring fault line about immigration was heightened at the cost of other, equally pressing political concerns.

Autonomy and Social Justice

Citizenship debates in Assam predate Indian independence and bring together two concerns that mark most histories of colonization for those at the receiving end: social justice and autonomy. The colonial period is a key to many of the enduring conflicts in Assam today. Adversarial positions on the

National Register of Citizenship (NRC) that ended in August 2019 fall into a process that has been researched and documented well over the past few decades. The presence of the colonial state in Assam was limited to parts of the populated valleys, where the government allowed people from erstwhile East Bengal to settle on agricultural land for annual and decennial leases. The landscape, economy, and society changed dramatically, as cash crops like jute and tea, as well as minerals like oil and coal, were grown or extracted in abundance from the area in the nineteenth and early twentieth century. This transformation also entailed a radical change in the demography of the region, as peasants and indentured workers from different parts of the British-controlled Indian subcontinent were brought to Assam. Tea plantations, in the central and eastern part of the Brahmaputra Valley and in parts of the Barak Valley, were given long-term leases.

In the upland areas, however, the government followed a 'light-touch' policy and allowed indigenous communities to retain their traditional chiefs and heads, while making way for indirect rule by the colonial state. This policy continued after independence and was reaffirmed by the Bordoloi Commission in 1949, when they proposed that the hills be governed under the Sixth Schedule of the Indian Constitution. Under the provisions of the Sixth Schedule, use and transfer of land between individuals was left to the discretion of the autonomous councils that allowed indigenous communities (defined as Scheduled Tribes under the Indian Constitution) to govern certain areas where they were a numerical majority. The councils functioned as territorial enclaves within the larger state, and in matters related to transfer of land and property, reflected the light-touch administration during the colonial period. While some territories and communities accepted this autonomy arrangement, others like the Naga and Mizo were less convinced. In both areas—Naga Hills (comprising the current state of Nagaland and parts of Arunachal Pradesh, Assam, and Manipur) and Lushai Hills—demands for independent, self-governing territories brought together small, kin-based communities who were able to organize successful armed resistance to the postcolonial state and to settler communities. The first territorial councils were elected in the autonomous districts around the undivided province of Assam in the 1950s and continue into contemporary times. Since then, the state of Assam has been reorganized, and currently there are three territorial autonomous district councils (Bodoland, Dima Hasao, and Karbi Anglong) and six non-territorial councils (Deori, Mishing, Rabha Hasong, Sonowal Kachari, Thengal Kachari, and Tiwa) in the state today.

Given the region's complex history of immigration, especially the one that began with the establishment of colonial rule and tea plantations in the late nineteenth and early twentieth century, this constitutional blind spot has had very tragic consequences for certain groups of people. This is especially true of those whose identities are tied to the kind of labor they do in the plantations and paddy fields. Adivasi activists and advocacy groups among Muslims of East Bengal heritage in Assam have had to constantly remind political organizations and civil society groups about their contributions to the region's culture and social history (Kikon 2017; Azad 2018). Today, the Adivasi communities in Assam are joined by five other communities in their demand to be included among the Scheduled Tribes in the state. This is a crucial aspect of their political struggle, as it alludes to some basic, watered down acceptance of reparations for historical injustices of the tea industry's indentured system of labor recruitment. These tensions between demands for autonomy (exemplified in demands for homelands) and social justice (as exemplified by demands for inclusion as rights-bearing citizens) converged in the government's violent response to popular demands around these issues.

Counterinsurgency and Governance

The army has been a significant presence since its inception into civic life and politics in Assam in 1990. For over two decades, military operations have resulted in the creation of a climate of impunity and human rights abuse by the state. Counterinsurgency was a pervasive aspect of political life, to the extent that those involved in it became active stakeholders in public life, as well its shadowy counterpart that involved grey areas of commerce, politics, and other unrestricted matters (Baruah 2019). Indeed, one of the main concerns of a colonial counterinsurgency regime has been to restore the legitimacy of the government, while continuing to fight a military war against sections of the population. Robert Thompson's (1966) detailed treatise on conducting counterinsurgency campaigns includes the need for isolating guerrillas from people, assuming that much of the population would remain neutral and uninvolved in the initial stages of the conflict. He emphasizes that the government would have to draw on three aspects in the long run: (a) nationalism and national policies; (b) religion and customs; and (c) material well-being and progress.

Ever since 1990, these elements had become enmeshed in the manner in which civil administration addressed issues of governance. The Unified

Command structure was introduced in 1990, and even though the Chief Minister and Chief Secretary were placed at the apex of the decision-making process, the actual groundwork was conducted by the army. This extended to the highest administrative structures in the 1990s and early 2000s, when most of the governors of the state were retired military generals, who were able to engage more closely with their former colleagues in order to encourage greater connection with the Indian mainstream (Baruah 2001).

Nationalist slogans and policies that were introduced in the early 2000s were instrumental in bringing about a significant change among Assam's middle classes, especially regarding their misgivings about human rights violations committed by the state (Deka 2019). Additionally, ever since the late 1990s, civil administration in many districts had grown accustomed to religious congregations of the three main faith-based communities in the state. As a PhD researcher in the autonomous district of Karbi Anglong in 2003–2004, I would cross a Christian evangelical healing center and an Islamic Ijtema on my way to an interview at the tribal development office (run by radical Hindu nationalists), all within the span of an hour. At each stop, preachers would try to persuade their flock to either strengthen the community against outside influence, aspire for a better material life, or both. Significantly, it was the Hindu radical nationalists who managed to do developmental work among indigenous (tribal) communities, while mobilizing Bengali Hindu settlers to the cause of a larger Hindu nation (Rajkhowa, Phukan, and Boruah 2018).

This political sifting of communities was perpetuated through the concept of garrisons, where two worlds coexisted uneasily. One was safe, secure and sanitized to include all that was representative of India as a country, where army personnel and their families lived in harmony. The world outside the garrison, on the other hand, was that of the civilian, who were racially different and constantly at war among themselves, as well as with the nation (Barbora 2016). Racial and ethnic superiority has long been a standard deployment in counterinsurgency techniques across the world, since it allowed the normalization of social differences and structural violence (Drohan 2017). The violence outside the garrisons in Assam was aimed at the erosion of solidarity among communities. In fact, it enabled every group to feel as though they had suffered alone and more than their neighbors. An unfortunate outcome of this form of militarization was the erosion of shared communitarian spaces and relationships that had earlier allowed for nonviolent coexistence in the state (Barbora and Sharma 2016).

One of the military outcomes of counterinsurgency was the stalemate created by army and police operations against insurgents. The losses during the conflict were disproportionately high among the insurgents and their sympathizers. Since 2003, the government began to follow two distinct strategies to contain insurgent movements. With some, like the Bodo Liberation Tiger Force (BLTF), it entered into suspension of operations and created political conditions for allowing the former armed groups to enter into mainstream politics. Hence, the BLTF–government ceasefire facilitated the creation of the Bodoland Territorial Council (BTC) that was spread over four districts, officially called the Bodoland Territorial Region (BTR). With others, like the United Liberation Front of Assam (ULFA), the government continued with a combination of military operations, while also ensuring that leaders based outside the country were pushed back into the government's custody. These two processes have carried on since 2003 (with the ceasefire with the BLTF and creation of the BTR) and came to an informal end in 2009–2010 (with the detention of ULFA leaders and beginning of peace talks with them). However, this did not lead to an end to adversarial politics in Assam. Instead, with the filing of a public interest litigation for conducting of the National Register of Citizenship in Assam in 2012, various organizations and political parties in Assam were induced to revisit an old question about citizenship that had been symptomatic of the late twentieth-century politics. With the NRC, the old counterinsurgency idea of community surveillance by the authorities received a new impetus and focus, even as relationships between groups had become much more contested and fractious.

Software, Technology, and the Counting of Citizens

The 2015 edition of the NRC required individuals to show their legacy data that included having a family member's name in the 1951 NRC and/or having the individual (or a direct family member's name) included in the electoral rolls as of March 24, 1971, a day after the Bangladesh Liberation War was formally announced. In case a person was unable to find her or his name in the legacy data, the administration allowed for twelve other documents that could be shown as evidence, provided they were granted before March 24, 1971. These were: (i) land tenancy records; (ii) Citizenship Certificate; (iii) Permanent Residential Certificate; (iv) Refugee Registration Certificate; (v) Passport; (vi) LIC Policy; (vii) Government-issued License/Certificate; (viii) Government Service/Employment Certificate; (ix) Bank/Post Office Accounts; (x)

Birth Certificate; (xi) Board/University Educational Certificate; (xii) Court Records/Processes. These documents have an aura of middle-class respectability to them. They attest to a person having ownership of property, access to education, jobs, and documents that allow her or him to travel at will. However, many itinerant working people—who constitute Assam's unorganized labor sector—were unable to produce these documents. Every person had to take these documents to the nearest NRC Seva Kendra, a government building designated for the purpose gathering and loading the documents on to a database. For many trying to register their names in the database, this was their first encounter with computers and information technology. Hence, they were also daunted by the finality of the exclusion when it happened, since there seemed to be no human error, or authority that could be chastised for failures. As a bureaucratic network of officials and staff, the NRC process was grafted onto the local administrative structure of governance as a time-bound project that had external support for a specific period of time. This allowed the state coordinator of the NRC to deploy various officers (and offices) to ensure a smoother functioning in places where human interface with potential technological shortcomings seemed inevitable.

In most cases, the diligence of individuals and groups meant that most people were able to provide documentation. Years of activism had built into the system some checks and balances that could ensure a process of redress, as well as a human interface that people could appeal to. Therefore, when one's name was excluded from the NRC, a person could appeal to a Foreigners Tribunal (FT), a body that was originally constituted by the government in 1964 and later amended in 2019, specifically to deal with the cases that had come up after the exclusions of 2018. With support from the central government, the government of Assam recruited one thousand members (as those judging the cases under the FT are called) into the FTs. Any advocate between the ages of forty-five to sixty was eligible to apply and would be considered for a contract of two years, where they would be employed by the government of Assam. An interesting, but leading criterion for their recruitment was stated early on, as the government notification stated that the person (applying) should "have a fair knowledge of the official language of Assam and its (Assam) historical background giving rise to foreigner's issue." [1] Such conditionality has severe consequences for people who do not speak standardized Assamese, who are *char*—seasonal river islands—dwellers, and who are itinerant, as they are already seen to be interlopers in the region. They were also most likely to be summoned to the FT members to answer questions about their missing documents and irregular data.

"Let me explain how this technology works," said Dhiren, a humanities lecturer in a government college just outside Guwahati city. He had been inducted as a disposing officer (DO) in the early months of 2019. The DO worked within a particular circle area and was the first—or last—human line of verification of the claims and objections that were filed by those who had failed their meetings with the FT. They reported to the Circle Registrar of Citizen Registration (CRCR, a circle officer in the administrative set up), who reported upward to the District Registrar of Citizen Registration (DRCR, a district commissioner in the administrative set up). Dhiren had been involved in the autonomy movement among the Karbi and Tiwa communities in the 1990s and early 2000s, before he got his job as a lecturer in 2013. He continues to be involved in cultural and social issues among indigenous communities, especially in the wider Kamrup, Morigaon, Nagaon, and Karbi Anglong areas. His work as the DO had kept him away from college, a fact that caused him some irritation. However, despite his personal misgivings about the nature of his work, he was all praise for the kind of technology that was being deployed in the NRC process. "Once the field-based work got over last year (in March 2018), things started getting a shape," he further explained about the family tree verification (FTV). As our conversation got into specifics, I had to keep track of the almost objective type, algorithm-based tenor of his descriptions.

"We had a domain for allowing for second and third generation respondents to make mistakes about the names of their immediate lineage relatives," he stated and added in the same breath: "'but can you forget the name of your own sister?" He claimed that many of the false claims of legacy data resulted from people giving different names for their immediate kin and siblings. He outlined the way in which the software was able to capture the inconsistencies in the manner in which certain persons claimed their family tree. Hence, lack of knowledge about immediate kin in an extended bilateral descent family would cause the software to determine that there was something amiss in the data provided. Dhiren was convinced that the software could not have got anything wrong, as far as catching on to the inconsistencies of personal narratives is concerned. Instead, as he explained the unfolding of a particularly poignant human drama, it was almost as if the software—in this case DOCSMEN—had begun to unravel family secrets into the public domain. When there was a mismatch in the family legacy (assigned an algorithm under the Legacy Data Code, or LDC), especially in the cases where two families claimed the same person and yet did not know anyone from the other family, they were asked to explain how the family trees for the same

assigned LDC could go so wrong. In many cases, explanations attested to the frailty of human relationship: an aggrieved father who might have disowned a daughter for marrying against his wish, a man with a family in two towns that did not know one another, and so on. Others, Dhiren continued, were harder to let go. It was even more so when officials higher up the administrative chain had already verified the claims and objections at the investigative stage. In that case, the DO became the last human to deal with people who wanted answers from the executive body of the government.

The NRC process as it was rolled out in Assam relied on the convergence of technology, administrative efficiency, and political will in order to achieve its goals. However, as media reports show, there have been instances where Bengali-speaking persons have been subjected to unprecedented harassment for not being able to provide documents that could have made it through the NRC software (Mohan 2019). Often, as middle and lower level officials and part-time officers employed to conduct the NRC will attest, there has been pressure from political organizations and mid-level civil servants, including those in the courts of law and appellate bodies like the FT. In such cases, documents (and software) have the ability to strip away the context in which local interactions have become aggregated in the NRC process. They present a dilemma for students of social sciences who wish to research issues of citizenship. Twentieth-century citizenship research looked at the various ways through which an individual entered into a political and social relationship with the state that included economic welfare and civil rights (Marshall 1950), protection of cultural rights of minorities (Kymlicka 1996), and an overall protection of the sanctity of personal freedom that emanated from Kantian ideas of universally applicable rules that allowed individuals to be free. In a relatively short span of time since the Supreme Court instructed the government of Assam to conduct the NRC, one has been confronted by a different order of issues. For social scientists, then, the idea of generating data from a big, government and software-driven data gathering process is daunting. However, this is also the moment when one sees a greater need to put this data into a context. One needs to allow a plurality of narratives to emerge that challenges the current situation, where the state's narrative is considered superior to that of the neighbor, friend, and relative (Dourish and Cruz 2018).

Conclusion

Just as the dust was beginning to settle on the NRC debates, with every group sounding unhappy with the final list, the government of India intro-

duced the Citizenship Amendment Bill of 2016 in parliament. The Bill became an Act of Parliament on December 11, 2019, resulting in immediate unrest in the Brahmaputra Valley of Assam and other states in the region. Urban and rural centers in the valley saw spontaneous uprisings and protests by Assamese-speaking people, as well others who were worried about the effect that the Act would have on politics in the region. The Act, detractors in Assam argued, had paved the way for undocumented Bengali Hindus to become citizens of India and settle legally. The protests spread to other parts of the country, where large sections of civil society argued that in the exclusion of Muslims, the government was attempting to create the legal basis for a majoritarian Hindu state. Even as the government made disingenuous attempts to placate the protestors, the unrest had brought about the halting of essential services and transport, resulting in the army being called back onto the streets of major cities to keep the peace. Tragically, six protestors were killed, and several prominent activists were arrested, all within a few days of the unrest in Assam.

It is not hard to see why my fellow traveler on the train was suspicious of a government-driven process where public health concerns were to be shared equally and equitably between the citizen and the state. In a way, his predicament was not very different from that of a villager without the right kind of documentation to prove their citizenship. Both were left at the mercy of the rules that were not very reassuring. Decades of structural violence had resulted in an ambivalent relationship marked cynicism and distrust of the state, as well as of one's neighbor. Subsequently, the language that has been employed to address the spread of the virus seems dangerously close to the kind of terminologies that were used during counterinsurgency. Color coded districts and words like "containment" have become commonplace in the vocabulary of those who have had to deal with a public health problem. It is probably fitting that his response was to evade the embrace of the state altogether, one that can hardly be successful in the present times, when the administration has taken it upon itself to isolate and segregate people as though it were still combatting insurgents among the population. Once again, the seemingly docile citizen (with or without documents) has become a cause for concern for the authorities, as there is a scramble to feed, detain, and quarantine people who lay claims to being from the region. This should serve as a moment to examine the impact that these debates will have on social science scholarship in the future. While it has disrupted relationships and forced people and organizations to reassess old colonial debates about autonomy and social justice, it has also highlighted the need to revisit new

ones about transformation of the citizenship debates at a time when the world has been locked down by the rapid spread of a virus.

Barely three months after the anti-CAA protests began in Assam, the government of India's response to the spread of COVID 19 virus raised several questions about the nature of citizenship debates within the country. Despite the atomized existence that the lockdown measures have encouraged, it is difficult to ignore some of the optics that emerged in the course of the central government's response to pandemic. The plight of millions of migrants across India trying to make their way back to their home states and districts is one such reality that we have to confront. This migration was celebrated among certain circles as one of the outcomes of development. A decade on, it is clear for even the most dispassionate of observers that the treatment of migrants in the current lockdown is indicative of an underlying tendency for the central government to act as though internal migrants are less deserving of the rights bestowed upon citizens who are stuck overseas. Without recourse to trains, with uncertainties writ large about their access to food, the plight of internal migrants in India today echo that of the citizens of Assam during the brutal years of counterinsurgency: formally free, but always under the threat of extreme violence unleashed by a callous state. In an inchoate way these two entities—migrant and citizen—seem to be headed towards a shrunken little world of benign prisons and detention centers in the Indian subcontinent.

Note

1   See notification no. HCXXXVII-13/2017/2687/R.Cellof Gauhati High Court, June 21, 2017. https://districts.ecourts.gov.in/sites/default/files/Notification-21-06-2017_0.pdf.

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