

Women remained in the western countries until the last centuries to be bought, sold, loaned, exchanged, paid for by religion, and their femininity was humiliated with various types of insults and assaults.

The strangest of all, “That the English Parliament issued a resolution during the reign of "Henry VIII", the King of England, prohibiting women from reading the book of the New Testament, meaning that it is forbidden to read the Bible”.²⁵

References

- 1) The Holy Quran
- 2) Sahih Al-Bukhari
- 3) Fiqh al-Nisa’ by Abu Bakar Karkan
- 4) Nida’ Lil Jins al-Taif, by Rasheed Ridha
- 5) Daurul Ummi Fi Tarbiyathi al-Tifli Khayriyah, Husain Taha Jabir, Page: 19. Third Edition, Dar al-Mujtama
- 6) Al-Mar’a Fi Thasaruful Islam, by Abdul Mu’tal Muhammed Al-Jabari

²⁵Nida’ Lil Jins al-Taif, Page: 68, Rasheed Ridha

Dialoguing Democracy: Questions on Citizenship and Nationality with Special Reference to Women's Voices from Kashmir and Shaheen Bagh

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Abstract

A fusion of new law making and exclusionist ideologies propagated by the ruling government in India, in the contemporary scenario, are turning the country into an abject land by splitting the people and states on communal lines. Majoritarianism is taking lead in the democratic country spinning vast number of minorities into stateless beings. The implications are so profound that one has to take steps in reviewing, analysing and re- searching the historical and political documents. Apart from inclusive polities exclusionary steps have been started by the nation which has already invited stronger critical dialogues and engagements by academicians, students and publics-both men and women- from within and outside. Literary, socio-political and cultural spectrum have been articulating this new and brutal ways of expulsion as a challenge to sovereignty and the democratic principles. Women's resistance moves against CAA (Citizenship Amendment Act), NPR (National Population Register) and NRC (National Register of Citizens) have been recorded in the history of India as one of the strongest voices of democracy just like Kashmiri women's slogans for dignity and democratic space. This article is trying to explore these women's voices of democracy with special focus on the pattern of resistance by women from the geo political locale of Kashmir and Shaheen Bagh of Delhi.

Article 5 of the Constitution says that at the commencement of this constitution, every person, who is residing in the territory of India and who born in India or either of his parents born in India or who has been ordinarily resident in the territory of India for not less than five years immediately before commencement of the Constitution, every such person shall be citizen of India. It means any person who born in India or any of his parents born in India is a citizen of India by birth and his citizenship is guaranteed by no other document except the Constitution of India which is supreme law of the land.

(Atrey)

As it is stated above, article 5 of Indian constitution clearly guarantees the citizenship for those who born in India. Citizenship was also guaranteed through the parentage and thorough the residence in the country for a period of time, as per the regulation of 1955 Act. In 2016, a bill was introduced to amend the citizenship act of 1955 and subsequently in December 2019 the citizenship amendment bill was passed by Lok Sabha. The bill said, it mainly focusses on the illegal migrants. But the deeper level understanding of the bill has proved that the bill fails to maintain justice among different communities and varied groups of people in the democratic secular India. It is obvious that the *Bill* (CAB-Citizenship Amendment Bill) is a violation of the right to equality under Article 14 of the constitution of India, as it provides differential treatment to illegal migrants on various basis. Differentiations on the ground of religion and community is also a proven fact about the bill.

A communal bias and exclusionary principles are very clear while looking at the specifications in the bill. These situations in India has ignited different kinds of massive resistance all over the country. Local, national and international level protests and uproars were

held in various regions along the length and breadth of the country and abroad. Campus moves against the NRC, CAB and CAA were also remarkable. The brutal ways in which government treated the activists and protesters within various campuses and also in public spaces were disheartening. Ashutosh Varshney's remarks are valid here.

By its bi-focal citizenship move — one, excluding Muslim immigrants as citizens while accepting all other communities from Pakistan, Afghanistan and Bangladesh on grounds of persecution, and two, promising to introduce a national register of citizens, which will render stateless all those Muslims who don't have the documents to prove their Indian ancestry, even if they were born in India and have lived in the country for decades — Delhi is taking two of the darkest steps in the history of democratic citizenship since the European excesses of the 1940s.

Global media also accused India's political agenda behind CAB (Citizenship Amendment Bill). The exclusionary steps taken by the country is against India's inclusive polities. Historian Mukul Kesavan said: "Couched in the language of refuge, and seemingly directed at foreigners, but its main purpose is the delegitimization of Muslims".

Women's uprisings against the bill all over the country were striking and very prominent in terms of women's national consciousness in which local public to professional women equally took part to create a model of women mode of protest. Shaheen Bagh protest of Delhi is going to be one such historic event in the national history of India and in the global arena as well. It has succeeded in creating a new chapter for India model peaceful protests and a cult of Indian resistance as it is put by Ghose: "The anti-CAA protest at Shaheen Bagh, led by Muslim women, has become a symbol, a pan-India template which has been replicated in other parts of the country".

Women from all walks of lives joined in these 101 days sit -in against CAA protest which started on 15 December 2019. It has inspired similar demonstrations across the country. Though it basically targets at scrapping new citizenship amendment act of 2019, the protest has opened up varied levels of new national narratives particularly by women of India through the mobilisation of people against the democracy induced violations of law. At the same time, the voices for citizenship, the recent uprisings from Shaheen Bagh of Delhi against the citizenship amendment act (CAA) of India 2019, have turned as a symbol of resistance and have succeeded in creating an Indian model of 'women's resistance template' and have also spawned many replicas at other parts of the country too. They have received huge international acclaim in the global media. As Debobrat Ghose has rightly observed "many have even begun drawing similarities with Tahrir Square in the heart of Cairo, which became a hub of revolution that unseated the then Egyptian president Hosni Mubarak in February 2011. The square became a symbolic home of the movement, with a prominent role in the country's history of change and tumult' (Ghose).

Ghose, in his article, charts the national claims of many women in the country which are spatial and political claims too. "We're domiciled citizens of this place. Many of us have been living for three generations," social activist Shaheen Kausar retorted while participating the protest in Shaheen Bagh (Ghose 2). The way in which these women have made a dialogue on democracy and the preservation of the people's right to protest possible, would be registered as a significant step in the national narratives of India. These group of women were critiquing and questioning the challenges against new majoritarian nationality and citizenship principles of India sitting and occupying the place in capital city which itself is a strong but non -violent declaration and affirmation of their claim for political being. The anti CAA protest at Shaheen Bagh piloted by women, particularly those from the Muslim community has thus shaped a new platform for the dialogue on challenges of democracy and citizenship.

The majoritarianism backed by the brute parliamentary arithmetic in India affect the geo-political local of Kashmir too, affecting the everyday lives of inmates. Women's voices from Kashmir clearly represent the ruthless atrocities against them and these women's voices occupy a significant

position in the democracy narratives of contemporary India in the wake of citizenship amendment act of 2019. Analysing *Speaking Peace: Women's Voices from Kashmir (2002)*, by Urvashi Butalia, one can trace the darker side of day to day life in Kashmir. The book offers a direct and realistic way of understanding the lives of Northern end Kashmir, with a female perspective. The way in which women make a dialogue on democracy in this book through their life narratives is very poignant in understanding the challenges stood against the citizenship even before the 2019 amendment act which is passed by the parliament.

Through the personal accounts by various activists, writers and the local public the book pictures the violence and sufferings in Indian controlled Kashmir that are often unleashed by the military engagement. Butalia remarks in the book that she “ aims to mark a moment in the history of conflict in Kashmir and the environment of the state and militants in it, a moment where the presence of women whether as victims/ agents or perpetrators can no longer be ignored, a moment which makes it clear that any initiative of peace and resolution of the conflict must take women into account” (Butalia 78).

The book presents stories of, permanent exit from homeland, violence, rape, rejection of humanity and freedom of expression. Lives portrayed in this book equally echo that ordinary life is quite disturbing. The book is a recovery of the voices of women lost across the national borders. The non-fictional narratives, interviews, photographs, memoirs, experiences and life stories told by women of diverse field make this book a critical discourse on democracy in India. The interview of Pamela Bhagat with Shabnas Lone in the book, is one of the breath-taking sessions of the book which is not much heard or registered voice of woman of Kashmir.

Shabnas, whose father was killed, expresses her true opinion on the contemporary picture of democracy in India when she says that the only way out for the peace in village is dialogue with everyone and she adds that, even the extra militant one also to be listened with patience and without pre conceived notions. She opines: “To find a solution there has to be an understanding of the social, political, economic, and racial problems here. It is a complex situation that requires a collective solution” (Butalia 34)

In an interview Butalia remarks that women's voices must be registered and charted and it is the need of the hour too. She adds: "Women's books are no longer marginal, but what we have is by no means enough or adequate or reflective of the complexity of all women, of women from different castes, classes, religion and so on" (Butalia 80). One can observe that for a long time, history has been silent on the experiences of women. This book announces its claims/ counter claims on the formation of gendered history which has been a prominent area in the national and trans- national narratives that started some decades ago and continues to be a question on the foundation of traditional history and linear one- sided discourses on democracy.

"Most of the machinery for implementation of laws is, after all, with state governments. The threat of electorally and legally enabled exclusionary horrors is knocking at the door", says Ashutosh Varshney in his article published on citizenship amendment Act in India. As it is explored in this paper, Addressing the women's voices from Shaheen Bagh, Delhi, that are made audible by group of women who led the peaceful protest against CAA, NRC and NPR and reconnoitring the voices of women from Kashmir as it is expressed in the *Speaking Peace*, one can perceive that women, rather than pitifully screaming over the political and democratic insurgencies, are ready to resist, question and stand for humanity that open a platform for dialogue on democracy. These peaceful modes of protests by women of India will definitely find their places in the anti- majoritarian struggles of the country and this will pave the way for more uprisings against ultra- nationalism and jingoism.

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