



OPEN ACCESS

EDITED BY
Satarupa Dasgupta,
Ramapo College, United States

REVIEWED BY
Nadia Ahmad,
Barry University, United States

*CORRESPONDENCE
Priya Kapoor
kapoorp@pdx.edu

SPECIALTY SECTION
This article was submitted to
Health Communication,
a section of the journal
Frontiers in Communication

RECEIVED 18 January 2022
ACCEPTED 01 August 2022
PUBLISHED 23 September 2022

CITATION
Kapoor P (2022) Shaheen Bagh:
Muslim women contesting and
theorizing citizenship and belonging
during COVID-19.
Front. Commun. 7:857350.
doi: 10.3389/fcomm.2022.857350

COPYRIGHT
© 2022 Kapoor. This is an
open-access article distributed under
the terms of the [Creative Commons
Attribution License \(CC BY\)](https://creativecommons.org/licenses/by/4.0/). The use,
distribution or reproduction in other
forums is permitted, provided the
original author(s) and the copyright
owner(s) are credited and that the
original publication in this journal is
cited, in accordance with accepted
academic practice. No use, distribution
or reproduction is permitted which
does not comply with these terms.

Shaheen Bagh: Muslim women contesting and theorizing citizenship and belonging during COVID-19

Priya Kapoor*

Department of International and Global Studies, Portland State University, Portland, OR, United States

This paper documents an important slice of global South COVID-19 history, of primarily Muslim women's protests against the Indian Government and Legislature for taking away their constitutional rights as citizens. The Shaheen Bagh mobilization has already become an important disruption in contemporary Indian history stirring public intellectuals to probe the question: "who is a citizen of India?" in their scholarship and public-community work. By virtue of the disruption the event has caused in the enactment of the citizenship law, including other biometric directives, CAA-NRC-NPR, it has ceased to be regarded a minority or marginalized occurrence. This paper examines the writings of 4 prominent academics, public scholars, and thinkers (Romila Thapar, N. Ram, Gautam Bhatia, Gautam Patel) examining citizenship in contemporary India. In order to juxtapose expert musings on citizenship with embodied voices from the protest ground, I am critically reading two volumes with multiple essays, one edited (Seema Mustafa) and the other co-written by civically-engaged journalists (Ziya Us Salam and Uzma Ausaf) and members of the Shaheen Bagh protests. As an Indian-non-Muslim, I understand scholarship regarding Shaheen Bagh as an essential part of contemporary history, insofar as secularism is a worthy intercultural political philosophy to uphold at this temporal juncture of hate, intolerance and minority-baiting globally.

KEYWORDS

citizenship, feminist theoretical perspectives, India, social movements, Shaheen Bagh, Muslim women, Romila Thapar, freedom of speech

Prologue 1

"Where the Other is a voice of dissent, there the acknowledgement of this dissent is essential because, by its very nature, it also reflects the perception that we have of ourselves, irrespective of the culture with which we claim identity."

(Thapar, 2020, p. 147)

That women should speak up on an issue tied to birth and citizenship makes perfectly good sense.

(Thapar, 2020, p. 149)

Prologue 2

This single-minded aim of ending the discriminatory laws [Citizen Amendment Act or CAA] brought the women first to protest, then protests to their doorsteps. Living up to its name, Shaheen Bagh (Garden of Falcons) had really taken wings. (Salaam and Ausaf, 2020, p. 140)

Importance of Shaheen Bagh: Overshadowing the COVID-19 pandemic

Shaheen Bagh protests were led by Indian Muslim women on December 15, 2019, (Mustafa, 2020) only to be interrupted in March 2020 by the COVID-19 restrictions *via* a heavy-handed and poorly planned lockdown imposed by the Indian government (Kapoor, 2021). The lockdown halted all business activity in the cities further impoverishing rural to urban labor migrants, skilled and unskilled workers, the lower castes and middle-class businesspersons (Kumar and Choudhury, 2021). The sheer brute force used to intimidate citizens with the help of the police also halted the large activist mobilization in what came to be recognized as a first women-led movement against the Government's Citizenship Amendment Act which became a Bill on December 19, 2019 (Vaid, 2020). The widespread uprisings suppressed by police might, leading into the pandemic period caused the death of 83 persons as multiple protesters faced police brutality, within an almost 100 days window in Indian states of Delhi, Assam, Uttar Pradesh, Karnataka, and Meghalaya (Singh, 2021).

By questioning the constitutionality of the CAA-NRC-NPR the women of Shaheen Bagh have brought legal experts and other scholars back to the drawing board to discuss the idea of India and the meaning of citizenship (Ram, 2021; Thapar, 2021). For that reason, it is important to study the citizen-led protest (Mustafa, 2020; Salaam and Ausaf, 2020) at the confluence of the passing of the CAA, the COVID-19 pandemic, the emergent leadership of the women of Shaheen Bagh, and "vigilante citizenship" (Kadiwal, 2021) that the state imposed upon its Muslim citizens.

Triggers to Muslim women's protest

No rules have been notified for the implementation of the faith-biased CAA Citizen Amendment Act, 2 years after the act was ratified by the Indian Parliament, and just before COVID-19 was declared a global pandemic. The Ministry of Minority Affairs apprised the Lok Sabha about their inaction in drafting rules for the CAA because the constitutional and legal validity of the CAA is under question in the Supreme Court

(Singh, 2021). This questioning stance is the direct outcome of a contemporary mobilization of Indian Muslim women, who weathered COVID-19 and the elements for over 3 months until COVID-19 lockdown was imposed by the government.

This mobilization has already become an important disruption in contemporary Indian history stirring public intellectuals to probe the question: "who is a citizen of India?" in their scholarship and public-community work. The demonstrations have caused a major disruption in the enactment of the citizenship law. Shaheen Bagh protests have ceased to be regarded a minority or marginalized occurrence as protesters from all faiths and walks of life have expressed solidarity with the unlikely women leaders who would not be sidelined or muted. Both the tropes of visibility and voice were leveraged to make the CAA-NRC-NPR protests effective. Especially since a majority of working-class Muslim women, traditionally house-bound and domestically situated, were the leaders of Shaheen Bagh, Public visibility was as important as raising voice.

Other than the passage of the Act to curb citizenship to Muslim immigrants (often referred to as infiltrator, illegal migrant, terrorist), Indian Muslims have faced curbs, lynchings, police beatings, incarceration and an extensively wrought program of discrimination that has seeped into everyday life with vigilante politics, such as mainstreaming cow worship and the initiative against eating beef (Narayanan, 2022). The recent social media storm about the incidence of offering prayers leading to police intervention at Lucknow's Lulu mall (Ashok, 2022) shows how the social fabric of tolerance has been rent by pre- and post- CAA incidents targeting Muslims in India. The outrage at the treatment of Muslim citizens by the government and fellow citizens, accorded visibility and collective action as an effective tactic for public show of strength, and as the only way to have their voice be heard.

Shaheen Bagh is a primarily Muslim-inhabited locality in Northeast Delhi, approximately two miles from the Jamia Millia Islamia University, that became the inspiration for mimic protests in every major metropolis. These documented Shaheen Bagh-like protests against the newly declared citizenship act in Lucknow, Patna, Bhopal, Kolkata and elsewhere were significant mobilizations in their own right, inspiring people to dissent in creative and direct ways (Salaam and Ausaf, 2020). This gendered and minority history of COVID-19 needs to be recouped and brought into Communication, feminist and social sciences scholarship and whose point of reference is not the Western academy (Masiero et al., 2021). For those of us who could not travel to our field sites and to Shaheen Bagh during the peak of the pandemic, we turned to feminist writings or female-centered writings that emerged right after the CAA protests. While the main basis of this paper is the written word, social media, phone calls from friends and relatives, newspaper reports also contributed to my understanding of what was going on at Shaheen Bagh. As an ethnographer grounded by the COVID-19 pandemic, I offer my method of

gathering data as one way to reinstate feminist epistemologies regarding women-led movements in the global South that do not register adequately in scholarship created before, and during the COVID-19 years.

The **focus** of this paper is two-fold. There are two genres of writings I am examining to understand the importance of Shaheen Bagh protests. One, the writings of 4 prominent academics, public scholars, and thinkers, Romila Thapar, N. Ram, Gautam Bhatia, Gautam Patel. Their project involves studying the meaning of citizenship in contemporary India. Secondly, in order to contrast expert musings on citizenship with embodied voices from the protest ground (the streets), I am reading two volumes with multiple authored essays by members of the Shaheen Bagh protests. One anthology is edited by Seema Mustafa and the other volume is co-written by civically-engaged journalists, Ziya Us Salam and Uzma Ausaf. The writers documenting the street-level mobilization in Shaheen Bagh are primarily Muslim though the secular and intersectional flavor representing the religious diversity of Indian society is evident in the two volumes. The proliferation of expert and activist social commentaries, films, poetry, artwork supported the protests at the peak-of-the-hour to keep the momentum of the discourse of the *idea of India* and citizenship. What I present in this study then is a partial yet multi-perspectival view of Shaheen Bagh derived from select readings on the movement and the uncomfortable questions raised on “citizenship.”

Voices of dissent: A theoretical elaboration and underpinnings

Dissent and civil disobedience are not inimical to democracy, asserts historian and theorist Romila Thapar in a 2020 volume *Voices of dissent: An essay*. Any form of mass scale dissent is anticipated as a law and order problem when dissenters are resistant to authoritarian state rules. As such peaceful movements must not be moved or intimidated by state terror machinery (Thapar, 2020). Dissent is a prompt to dialogue and not to police brutality.

Giving the example of the Black Lives Movement in the US, Thapar says—“The enforcement of law and order becomes entirely ineffective if people are terrorized.” With the willy-nilly police beatings of the Jamia Millia Islamia (a major university near Shaheen Bagh) and JNU (Jawaharlal Nehru University) students protesting the nation’s citizenship laws have been terrorized rather than invited to discuss their civic engagement with important national dialogue.

Thapar traces dissent in the Indian Subcontinent during 3 millenia to affirm that the notion of disagreement and dissent are not alien or Western as they are often attributed to be. Philosophies of dissent lie in Indian thought incorporating teachings of those who were deeply involved in ordinary people’s lives espousing right conduct and action. Conflict in

the subcontinent evolved into “accommodation or juxtaposition through creating new forms” (Thapar, p.146). That strikes a hopeful note that dissent leads to new forms of cooperation, new social relationships, and new ways to dissent as well.

Thapar finds the binary opposition of Self and Other (a Cartesian binary) to be rigid, unnuanced and unhelpful as there are a range of *Selves* and a range of *Others* written into Indian history. In a multi-sectarian, multi-religious country and region such as the Indian subcontinent, it has had to be open to divergent, multiple, and complex thoughts, thereby keeping singular, monolithic, binary identities at bay. “It is to this tradition of the dissent of the Other and its interplay with the Self that we owe many moments of spectacular thinking that are evident in the dialogues of agreement of dissent in multiple literary and philosophical genres” (Thapar, 2020, p. 147).

My own positioning to anti CAA-NRC protests

The protests of Shaheen Bagh were already in retrospect when I began writing about them. Student activists from Jamia Millia Islamia University and Jawaharlal Nehru University were being pursued and harassed by the Modi government by the time I decided to recuperate the story of the gendered resistance to the citizenship laws instituted by the Parliament and the Government. Most of us who are Indian, living and working as academics in the US, were prevented from seeing our families or completing our field research due to the novel Coronavirus and the restrictions that followed in the first wave of the pandemic. The virus had the ability to disconnect and separate families, contexts, and geographies for intermittent periods of time. These physical and emotional disjunctures during the early COVID-19 times allowed me to understand how, living in the US without losing my employment and healthcare opportunities made me privileged, although bereft of the comfort and care of family reunification, and unable to share grief of family loss during COVID-19’s waves and peaks. Access to healthcare, paucity of care labor, rising rates of mortality among those disadvantaged by race, nation and gender became a history that is being told and retold in press and academia. Yet there are other intersectional realities that need to be told, documented, privileged for being located in the global South and out of the glare of mainstream Western press. Some have questioned the term *global South* as the South is not divorced from modern Western modernity, globalization and the rules of neoliberal economics that are commonly shared with the global North.

Protest such as the CAA-NRC-NPR uprising now recognized by the sobriquet Shaheen Bagh is one such intersectional movement that came to be because of the unique way in which the multiple axes of national belonging, gender, class, religion, history interacted to disenfranchise the Muslim population of India. Islam has been a part of India’s secular

identity since independence from the British Raj in 1947. So even though I am not Muslim, I understand the scholarship of Shaheen Bagh as an essential part of contemporary Indian history and my identity, insofar as secularism is a worthy intercultural political philosophy to uphold at this temporal juncture.

Shaheen Bagh: Gandhian satyagraha and the making of a movement

To the extent that the dissent of the Other is important to Indian democracy, Shaheen Bagh takes the idea of Mahatma Gandhi's *satyagraha* farther as the powerful context of the Citizenship Amendment Act-CAA/National Register of Citizens-NRC/National Population Registry-NPR, rears its ugly head in national politics. Most Indians do not possess birth certificates and documentation required by the NRC which in the case of Muslims would entail deportation or incarceration. Despite the divisiveness in social life and in government regards the position of Muslim citizens in India, Shaheen Bagh stood for all that the Preamble to the Constitution desired—(1) a secular ethic of governance for inculcating tolerance, (2) citizenship for all who had made India home and (3) citizenship that does not have a religious basis.

Among the important insights of participant observers who have written about Shaheen Bagh including Thapar (2020) who believe that (a) the women knew the exact import of their protests and the purpose of raising their voice and walking out of their homes to join the larger anti-CAA group for collective action. (b) The movement was entirely non-violent despite a move by political elements to discredit it. (c) Thapar employs the idea of birth, and citizenship so that the women of Shaheen Bagh wrest control. She questions citizenship as a sole reserve of the state. Mothers know more about birth and citizenship than anyone else. d) The movement was non-partisan and non-religious. (e) The protests had the fervor of revolution and Thapar (2020) surmises that the protests recall the vigor of anti-colonial nationalism.

Motherhood and birth are an important trope in the strengthening of the movement and envisioning it as a female-centered and feminist mobilization. The nanis and dadis (maternal and paternal grandmothers) of the movement have now become nationally recognized and revered (Mustafa, 2020). The common kitchens, communal eating, praying during fasts and the warmth of togetherness gave the protest sites the feeling of belonging. Older women of the community became natural leaders of the CAA protests. Bilkis Bano, not a lone female voice of Shaheen Bagh, has spoken forthrightly in the media about her convictions on citizenship and the unfairness of the government directives, speaking as a true citizen and revolutionary (Media Asia, 2020). Bilkis Bano declares she is born in India, why should she go anywhere else? Why must she go to Pakistan? The police

took away warm clothing, tents and carpets during a particularly cold January day and squall, in an effort to break the stride of the protesting women and their allies. During one such incident, a 4-month old infant child caught a chill and lost her life when the mother doggedly stayed on the protesting ground without adequate shelter. This incident became a point of flagellation for the government who keenly monitored missteps, and amplified them in the press at each stage. The mother returned to the protest site once she had performed the rites and rituals of mourning and loss.

At Jamia Millia Islamia University 3 young Muslim students stood around one male student to protect him from police beatings in a remarkable show of solidarity lending the theme of *embodied revolutionary practice*. Kadiwal (2021) calls it the one *finger revolution* as an image of a young woman lifting a warning finger at the police to stop them from bringing violence upon Muslim men has been circulating post-Shaheen Bagh. This incident, filmed and viral on social media recalls an incident from the 70s, during Indira Gandhi's Emergency when fundamental rights were suspended, when emissaries of the former Prime Minister Indira Gandhi came to coerce their husbands, sons and brothers to undergo vasectomy and the women hid them. Or when women came out of their homes to form a human shield around their men at Turkman Gate in Old Delhi when the bulldozers were brought in to raze their homes during Emergency (Salaam and Ausaf, 2020). A few women such as Shabbeeran—a protesting grandmother—remembered this time. The above-mentioned instances, in the brief period of postcolonial history demonstrate the embodied citizen-protest of Muslim women, one of the most stereotyped category of women in modernity, have never been shy to exercise citizen-action to subvert the tactics of the oppressive state.

The musical, art and poetical tributes at Shaheen Bagh became the hallmark of the movement. Children, adults and established artists paid tribute to the Shaheen Bagh protests through artwork, posters, songs, refrains, and poetry.

Qawwali which comes from the word “qaul” means “to speak.” It seems apt that Shaheen Bagh showcased Qawwali as its chosen musical genre to bring life into its anthem, Pakistani poet Faiz Ahmed Faiz's “Hum Dekhenge.” Qawwals carry forward an 8th century custom of Sufi/Bhakti music that is syncretic and steeped in mysticism derived from both Islam and Hinduism (Kapoor, 2020).

Sarvjeet Tamta, a qawwal was part of the protests to rouse protesters with his rendition of Faiz Ahmed Faiz's “call to revolution” verse (Tripathi, 2021). BJP-led Hindutva has created a deficit in syncretism shifting the popular understanding of Qawwali music as Islamic. The press coverage of Tamta's qawwali singing makes a special mention of Tamta as “being Hindu.” This expressed surprise at a qawwali singer “being Hindu” signifies an emerging chasm between faiths thereby dichotomizing Hindi/Urdu, Hindu/Islamic, even for common legacies of hybrid art practice. This noticeable labeling of

differences as “Hindu” participants and “Muslim” participants shows us how and why Shaheen Bagh is an important marker of our return to, and a reminder of the nation’s and the Constitution’s secular spirit.

A prominent Indian University, the Indian Institute of Technology in Kanpur held an event in protest of CAA-NRC-NPR in January 2020, where a student recited Faiz Ahmed Faiz’s “Hum Dekhenge.” A complaint went out by an instructor, Vashimant Sharma, that the poem is anti-Hindu. Several well-known Hindu and Muslim artists, actors and social commentators denigrated this attack on the aesthetics and nuanced, metaphor-laden political satire of Urdu literature and poetry (Katju, 2021). Faiz wrote his poem at the height of Zia-ul-Haq’s dictatorial reign, as a way to awaken readers to an endangered democracy. Religious metaphor in Faiz’s poetry heightens his move to subvert Zia-ul-Haq’s military regime and its oppressions (Web Desk, 2020; Katju, 2021). The understanding of protest poetry as anti-Hindu/non-Hindu without incitement or affront is an unfortunate outcome of communal politics stoked by the Legislature’s passing of the CAA-NRC-NPR. Since citizenship, nationhood and belonging were being negotiated on the streets of Delhi and urban neighborhoods of big and small towns, the women of Shaheen Bagh assume the status of citizen-warriors for having to fight through ossified thought on religion and self/other.

On citizenship

Citizenship and the state

This volume of four essays provides us with provenance, history, critical commentary and provocations on citizenship in India over seventy years of its postcolonial existence. The leading essay is by scholar Romila Thapar, titled “The right to be a citizen.” Western modernity, with its reliance on neo-liberalism never gets identified for giving rise to consumptive patterns in urban societies globally. Our sense of citizenship is moderated by Western modernity which has been accepted as a cultural shift within most societies. Thapar says: “The state has to demand the necessary duties in equal measure from all its citizens. The state has to ensure the protection of every citizen in equal measure... Democratic forms of governing, therefore, are crucial to a nation” (Thapar, 2021, p. 7). Those who inhabit a nation-state must have citizenship and with modern citizenship come rights and a contract whereby the state must honor citizen dignity and status. Citizens of India are not subjects or supplicants as during the British Raj or Indian monarchies but persons who must demand human and fundamental rights with the right to protest if their basic demands are not met even after they have fulfilled their duties as citizens. Thapar’s attention to the provenance of citizenship helps the cause of Shaheen Bagh protests that have been marred by police repression, violence, fake news, and derision by the government. The chief governing

engines of a democratic state, the legislature, the executive, and the judiciary must ensure that the relationship between the citizen and the state maintain equal balance. “This can only be ensured if these three are not overawed by the power of those governing,” upholds Thapar (2021, p. 11). Thapar provides us with the historical context of citizenship in India and the responsibilities of the state in maintaining the contract of citizen rights and dignity. This essay transitions to the next one by N. Ram who traces the beginnings of communal disharmony, its link to the framing of the Constitution and later, unsurprisingly, to BJP’s long range Hindutva project.

Framing of the constitution and sowing the seeds of hindutva

In the same volume, N. Ram’s essay, “The evolving politics of citizenship in Republican India” gives the reader an analysis of how citizenship was discussed by the founding leaders of the nation while framing the Constitution. Without hesitation, the former Editor of the leading English language newspaper *The Hindu*, N. Ram says that religion must never be a condition for citizenship in India. There is enough evidence that the British partitioning of India into Pakistan, an Islamic state, and secular India, sowed the seeds of discontent and communal disharmony whose ripple effects could be felt seventy years from the time that the Constituent Assembly met. The rumblings of religion making its inroads in the Constitution and Hindutva took shape in 1989 with the election of the BJP. They introduced the idea of the National Register of Citizens (NRC) to eliminate infiltrators (a code for Muslim migrants) and give permanent citizenship to refugees (a code for Hindu or non-Muslim migrants). These codes were first introduced into the citizenship law in 2003 gradually setting the stage for the 2019 Parliamentary go-ahead for the CAA and the grandly scaled NPR (National People’s Registry) and NRC (National Registry of Citizens).

It is clear from N. Ram’s essay that the Constituent Assembly Debates were lively and robust and gave the power to the Parliament to make laws and rules to determine citizenship. Those laws and rules rooted in democratic and secular principles “cannot be treated as something that has had its day” (Ram, 2021, p. 46). Later those debates came to be known as Article 11 of the Constitution. It is too early to forget the Article 7 of the Constitution that protects the rights of the citizen for the choice of country they made at the time of Partition in 1947. “We cannot on any racial or religious or other grounds make a distinction between one kind of persons and another, or one set of persons and another set of persons” (cited in Ram, 2021, p. 44).

We are well aware that citizens who are subaltern (indigenous or non-White in the West), or form the labor base, of nations around the world where governments are anti-immigration or authoritarian are being questioned for their

immigrant status (Zainub, 2019). India takes the place of one of those countries as it wants to wrest control of who gets to stay and who gets to leave based upon their faith. N. Ram has this to say, “Political parties, mostly those aligned to the right or to the far-Right, use the citizen-alien contradiction as political currency to mobilize followers, typically a mixed bag of vulnerable, impressionable, trusting, credulous, but also ideologically charged citizens, instigate violence on occasion, and attempt to gain advantage over their rivals” (N. Ram, 2021, p. 51). *Aliens* are politically and religiously disadvantaged populations that the nation ought to reinstate as citizens not pariahs.

The constituent assembly allows the parliament to frame laws

Legal scholar Gautam Bhatia’s essay “Citizenship and the Constitution” sheds further light on the final touches to the Constitution and gives sharp focus to the debates that occurred among the members of the Constituent Assembly. Like N. Ram (2021), Bhatia (2021) makes mention of the key Article 11 in Part 2 of the Constitution which vests the power of changing citizenship laws in the hands of the Parliament. One of the stalwarts of the Constituent Assembly, Alladi Krishnaswami Ayyar understood the Constitution as committed to the notion of *universal citizenship*, an outcome of India’s anti-colonial history. The example cited from the Constituent Assembly debates by Bhatia is of “South Africa and other States” where citizenship was either racial or sectarian (Bhatia, 2021, p. 80).

There were some members of the Constituent Assembly who wanted to, because of Partition, treat India as homeland for select religious identities and not others, but that proposal was struck down. In the end, Bhatia asserts that “it is in the rejection of sectarian citizenship, at a moment when the fire of religious hatred and persecution was at its peak, that the universal humanism of the Indian Constitutions citizenship chapter truly shines through” (2021, p. 95). In present times we must marvel at the moderating influences that trumped a dark chapter in the nation’s history. This remains a lesson for the key institutions of the country—the legislature, the judiciary and the government to be non-discriminatory and rigorously universal.

Sedition as antiquated and colonial remnant of law

Juror Gautam Patel’s essay “Past imperfect, future tense” is a commentary on the relationship of the state and fundamental rights and is also a compendium of court cases from a range of time periods in India and the United States that were upheld as exemplars because a dissenter complainant or dissenting juror prevented a travesty of justice.

The case of *Anuradha Bhasin vs. Union of India* is an important piece of contemporary legislation as it declares that free speech and the right to practice a profession or conduct business on the internet are constitutionally protected under Article 19. The indefinite severing of communications links in Jammu and Kashmir is deemed unlawful. In 2020, three judges of the Supreme Court decided to challenge the J&K government’s order to suspend mobile phone networks, internet services and landline connectivity in the valley for an extended period of time in the wake of suspension of the Article 370 in Kashmir. The court accepted the press, newspapers and publications are traditional outlets of free speech and the internet as a medium was contemporary and relevant to the exercise of free speech (Patel, 2021). Therefore, the access to the internet is not a fundamental right though the right to free speech over the internet is integral to Article 19(1)(a). This directive to suspend communications channels in the whole state is curtailing in itself. In juxtaposition, one must contemplate the toxic mix of CAA-NRC-NPR which categorizes one particular community for “special treatment.”

The incarcerations, police beatings and killings associated with CAA-NRC-NPR protest contrast well with Patel’s (2021) advocacy for deeper scrutiny of sedition laws and other laws that have not kept up with the time (Krishnan and Ratnam, 2020; PTI Press Trust of India, 2021). Scores of students, youth and citizens stand arrested for sedition charges for participating in the protests. Government generated fear tactics, a legacy of post 9/11 attacks, have abridged citizen and human rights according to Patel (2021). The law of sedition is Section 124A of the Indian Penal code. Articles 19(1)(a) and 19(2) of the Constitution, related to right to free speech do not use the word sedition. Patel (2021) asserts that “if the right to free speech cannot be curtailed on the ground that it is seditious, then making it an offense violates the right to free speech” (p. 121). When the UK did away with its sedition law, the justice minister Claire Ward had this to say as justification, “Sedition and seditious and defamatory libel are arcane offenses from a bygone era when freedom of expression wasn’t seen as the right it is today. Freedom of speech is now seen as the touchstone of democracy... The existence of these obsolete offenses ... had been used in other countries... actively used to suppress political dissent and restrict press freedom” (cited in Patel, 2021, p. 120). Despite adequate forewarning, it is informative that postcolonial India chose to keep Section 124A (sedition) in the Indian Penal Code.

On Citizenship engages with the CAA-NRC-NPR protests and the protesters, the elite and with the ordinary citizen, with the transgender, male and female citizens, with the legal and the supposed illegal migrant. The experts, Thapar, N. Ram, Bhatia and Patel bring their disciplinary proficiency in History, Politics, Legal studies to bear upon vital events that are unfolding in the country. These events have stirred the hearts and minds of youth, particularly students, the older generations especially those whose identities were torn asunder during India’s Partition

into two rival countries. They need to belong to the new and modern India.

In conclusion: Free speech as touchstone of democracy

This essay attempts to elevate the history of dissenting Muslim women of Shaheen Bagh. Their dissent questioned the constitutionality of the citizenship laws passed by the BJP government. The women-led movement is unique in the methods it used to demonstrate employing their citizen given rights whether it was saving their men from police aggression or the use of poetry and art to make a point that the trinity of CAA-NRC-NPR were unconstitutional.

The prevalence of COVID-19 for 2 years has presented us all with singular opportunities to participate and understand citizen-dissent in the disparate parts of the world where authoritarian heads of state found it safe to encroach upon the rights of common folk. A primarily Muslim locality, Shaheen Bagh in Northeast Delhi became a study in the indomitable courage of women, mostly older, stay-at-home persons whose primary identity was defined by the domestic sphere and their role in it. While leading an effective mobilization, women in Shaheen Bagh challenged and rejected the overtures of popular politicians from the ruling party BJP, the opposition parties of AAP (Aam Admi Party) and the Congress, reminding them of the strength of the Indian Constitution. The strength of the Constitution lay in its ability to be inclusive and secular. The poster many carried had Mahatma Gandhi emblazoned on it rather than Nehru whose image may suggest partisanship and collaboration with the Congress. They would more readily be associated with anti-colonial satyagraha than contemporary politics.

On Citizenship provides the critical drift of four public intellectuals, Romila Thapar, N. Ram, Gautam Bhatia and Gautam Patel. In addition, I have examined two volumes written by activists, journalists and Indian-Muslims the socio-political context of a major dissenting movement that brought daily activity to a grinding halt (literal and figurative) during the first wave of the COVID-19 pandemic. The first volume by Seema Mustafa, *Shaheen Bagh and the Idea of India* and Ziya Us Salam and Uzma Ausaf's *Shaheen Bagh: From Protest to a Movement*. Their voice, visibility and constitutional critique on citizenship reverberates in academia and every portal of power past the second and third year of the pandemic. The dissenting women occupied a major traffic artery, Mathura

References

Ashok, A. (2022, July 19). Uttar Pradesh: Four arrested for offering namaz inside Lulu Mall premises in Lucknow. *Times of India*. Retrieved July 20, 2022. Available online at: <https://timesofindia.indiatimes.com/city/lucknow/uttar-pradesh-four-arrested-for-offering-namaz-inside-lulu-mall-premises-in-lucknow/articleshow/92979411.cms>

Road, in the Northern grid of New Delhi—the residence of the country's Executive power, Legislative body and the Judiciary. By using theoretical writings of subaltern public intellectuals as framework to understand locally agitating movements that express dissent of governmental legal directives, I am reinstating women's historical struggles into the canon of world history, communication, media, legal studies and politics.

Authoritarian laws as the CAA-NPR-NPC, to govern one religion, in a multi-religious, multi-sectarian country has local and global resonance. The women of Shaheen Bagh had the courage to call out discrimination, Constitutional abrogation of fundamental rights, and a surveillance state if CAA-NRC-NPR become permanently entrenched in the system. We must heed the words of Justice Patel in this regard: "The Orwellian vision of a Big Brother is predicated on the elimination of independent thought and freedom of expression. The tragedy is that this is no longer in the realm of speculation" (Patel, 2021, p. 113).

Author contributions

The author confirms being the sole contributor of this work and has approved it for publication.

Funding

Publication of this article in an open access journal was funded by the Portland State University Library's Open Access Fund.

Conflict of interest

The author declares that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

Publisher's note

All claims expressed in this article are solely those of the authors and do not necessarily represent those of their affiliated organizations, or those of the publisher, the editors and the reviewers. Any product that may be evaluated in this article, or claim that may be made by its manufacturer, is not guaranteed or endorsed by the publisher.

Bhatia, G. (2021). "Citizen and the constitution," in *On Citizenship*, eds N Romila Thapar, G Bhatia, G Patel (New Delhi: Aleph Book Company), 72–96.

Kadiwal, L. (2021). Feminists against fascism: the indian female muslim protest in India. *Educ. Sci.* 11, 793. doi: 10.3390/educsci11120793

- Kapoor, P. (2020). "India transitions: culture and society during contemporary viral times," in *Great Transition in India: Critical Explorations*, eds C Kim, R Singh's (Singapore: World Scientific). 71–87.
- Kapoor, P. (2021). Theory(ies) of culture and compassion: indian writers call out local and global politics under the pall of Covid-19. *Front Commun.* 6:613622. doi: 10.3389/fcomm.2021.613622
- Katju, M. (2021, Jan 4). Why The Controversy Around Faiz's 'Hum Dekhenge' Is So Fatuous, *The Wire*. Retrieved December 1, 2021. Available online at: <https://thewire.in/communalism/faiz-hum-dekhenge-iit-kanpur>
- Krishnan, M., and Ratnam, D. (2020, February 16). India news: CAA flares up sedition debate, 2020. *Hindustan Times*. Retrieved on Jan 14, 2022. Available online at: <https://www.hindustantimes.com/india-news/caa-stir-flares-up-sedition-debate/story-spcuDzxb7gR8ysmaduHHzH.html>
- Kumar, S., and Choudhury, S. (2021). Migrant workers and human rights: a critical study on India's COVID-19 lockdown policy. *Soc. Sci. Human.* 3:100130, doi: 10.1016/j.ssaho.2021.100130
- Masiero, S., Milan, S., and Trere, E. (2021). *Covid-19 from the margins: Crafting a (Cosmopolitan) theory*. *Global Media Journal, German edition, vol. 11*. Spring/Summer 2021.
- Media Asia (2020). India's Bilkis Bano: The grandmother who stood up to Modi, *DW.com*, Retrieved September 13, 2021. Available online at: <https://www.dw.com/en/one-year-of-indias-citizenship-amendment-act/a-55909013> (accessed December 11, 2020).
- Mustafa, S. (2020). *Shaheen Bagh and the Idea of India*. New Delhi: Speaking Tiger Books.
- Narayanan, R. (2022, February 18). The violence against Muslims is a recent, ugly blot on the fabric of inclusive India. *The Hindu*. Retrieved July 20, 2022. Available online at: <https://www.thehindu.com/society/the-violence-against-muslims-is-a-recent-ugly-blot-on-the-fabric-of-inclusive-india/article65048495.ece>
- Patel, G. (2021). "Past imperfect, future tense," in *On Citizenship*, eds, R Thapar, N. Ram, G Bhatia, G Patel (New Delhi: Aleph Book Company). 96–130.
- PTI Press Trust of India (2021). August 23. Anti-CAA protests: Sharjeel Imam denies inciting violence, says cannot be hammered with sedition. *Economic Times*. Retrieved on January 15, 2022. Available online at: [https://economictimes.indiatimes.com/news/india/anti-cao-protests-sharjeel-imam-denies-inciting-violence-says-cannot-be-hammered-with-sedition/articleshow/85557909.cms?from\\$=smdr](https://economictimes.indiatimes.com/news/india/anti-cao-protests-sharjeel-imam-denies-inciting-violence-says-cannot-be-hammered-with-sedition/articleshow/85557909.cms?from$=smdr)
- Ram, N. (2021). "The evolving politics of citizenship in Republican India," in *On Citizenship*, eds. R Thapar, N. Ram, G Bhatia, G Patel (New Delhi: Aleph Book Company), 23–71.
- Salaam, Z. U., and Ausaf, U. (2020). *Shaheen Bagh: From Protest to a Movement*. New Delhi: Bloomsbury India.
- Singh, V. (2021). Two years after CAA was passed, rules governing it yet to be notified. *The Hindu*. Retrieved January 7, 2021. Available online at: <https://www.thehindu.com/news/national/two-years-after-cao-was-passed-rules-governing-it-yet-to-be-notified/article37916342.ece> (accessed December 09, 2021).
- Thapar, R. (2020). *Voices of Dissent: An Essay*. Calcutta: Seagull Books
- Thapar, R. (2021). "Citizenship: The right to be a citizen," in *On Citizenship*, eds, R Thapar, N. Ram, G Bhatia, G Patel. (New Delhi: Aleph Book Company), 1-22.
- Tripathi, S. (2021, November 26). A Qawwali photo project brings untold stories of practitioners and forms to the fore. *News Nine*. Retrieved on December 14, 2021. Available online at: [https://www.news9live.com/art-culture/a-qawwali-photo-project-brings-untold-stories-of-practitioners-and-forms-to-the-fore-136603?infinitemscroll\\$=1](https://www.news9live.com/art-culture/a-qawwali-photo-project-brings-untold-stories-of-practitioners-and-forms-to-the-fore-136603?infinitemscroll$=1)
- Vaid, D. (2020, December 12). One year of India's Citizenship Amendment Act. *DW.com*, Retrieved on 13 September, 2021. Available online at: <https://www.dw.com/en/one-year-of-indias-citizenship-amendment-act/a-55909013>
- Web Desk (2020). Communal or anti-dictatorial? Understanding Faiz and the controversial 'Hum Dekhenge', January 3, 2022, *The Week*. Retrieved on July 1, 2021. Available online at: <https://www.theweek.in/news/india/2020/01/03/communal-or-anti-dictatorial-understanding-faiz-and-the-controversial-hum-dekhenge.html>
- Zainub, A. (2019). *Decolonization and anti-colonial praxis: Shared lineages*. Boston: Brill Publishing. doi: 10.1163/9789004404588