



## Citizenship Amendment Act – What about Goans?

The December 2019 amendment of the Citizenship Act, 1955, once again brings the issue of citizenship of Goans (with Portuguese passports) to the fore. The new amendment provides for citizenship to be granted to persecuted minorities (read in the Act as Hindu, Buddhist, Sikh, Jain, Parsi and Christian) from Pakistan, Bangladesh, and Afghanistan, who have been residing in India from before 31<sup>st</sup> December, 2014, and it also allows the Government to cancel the registration of the Overseas Citizen of India Cardholder 'in case of violation of any provisions of the Act or any other law for the time'. Already much has been said of the Act, about the Government's selective 'humanism' by which only certain persecuted communities, and that too from certain nearby countries which the ruling dispensation refers to as theocratic states, are being considered for citizenship.

The justification advanced for the amendment is that many persons of Indian origin including persons belonging to the said minoritized communities from the aforesaid countries, are applying for citizenship under section 5 of the Citizenship Act, 1955, but are unable to prove their Indian origin, and are consequently denied many opportunities and advantages available to the citizens of India, even though they are likely to stay in India permanently.

If one looks at the Citizenship Amendment Act from a Goan lens, one finds it a contradiction in terms that while all this is being discussed, Goans – the citizens from the State that is politically a part of India since December 20, 1961, are being deprived of their Indian citizenship on securing a Portuguese passport, when in fact the Portuguese passport is acquired as a passport to employment opportunities and the hope of a better future in the European Union. It would do well to remember that the Portuguese citizenship is something that Goans already had, which they were illegitimately deprived of, which they are now reasserting their right to, and when they do so, the Indian citizenship which they now have and which is necessary to ensure their voice and participation in the future of their land, is being taken away from them. The heart of these persons lies in Goa, they are anchored in a culture that remains rooted to their engagement with the land and the rivers and the sea here in Goa, and regularly come to Goa besides being there for any family occasions. And yet, they are deprived of a voice in speaking out against the injustices heaped on the land and its people in Goa, because they do not have voting rights.

A stark example of this can be seen in the fishing villages. The coast is being systematically destroyed in the name of 'development' (of a few corporates, that is!) and now with this new law, leave alone not having a vote, they risk their OCI card, which provides some benefits, being cancelled, if they speak up because as per this amendment, the Government has the discretion to cancel the OCI card, if the person is found to be in violation of the law. The laws

itself have been and are being designed/enforced in such a way that anyone whose speech and acts are against the dominant narrative, can be construed to be in violation of the law. The Unlawful Activities Prevention Act, 1967, as amended to date is a stark example of such a law. More recently, we had occasion to see how after authoring an article critical of the Narendra Modi Government, Atish Taseer's the OCI Card was withdrawn, despite his mother being an Indian, on the pretext was that his father was Pakistani. One can see the gendered language of the Citizenship Act at work here. And now, to add to it, the Government has a formalized way of withdrawing the OCI card!

Similarly, the argument that the citizenship of the Muslims in India is not affected by the Bill and therefore it is not anti-Muslim and therefore not arbitrary and unequal, can find parallels in the Goan experience, where it is said that the citizenship of Catholics in Goa, particularly of those from the subaltern communities, is not affected, because there is no provision that explicitly discriminates. But if one looks at the fact that these sections of society are forced to migrate due to conditions prevailing in Goa, in terms of access to resources and opportunities for decent livelihood, it seems that the historical benefit that Goans got of securing a Portuguese passport, which many Catholic Goans from the subaltern communities availed of, is being neutralized, by depriving Goans of their Indian citizenship.

Pertinently, it needs to be stated here that with Goans (which includes a large number of Goan Catholics from subaltern communities) being systematically deprived of Indian citizenship on acquiring Portuguese passports, they are being further minoritized, and this is one of the strong building blocks in Goa, for a Hindu rashtra. The Government is anyway in the habit of first paving the way and preparing the ground and then on it becoming a fair accompli, they declare whatever it is. So what will then prevent them from saying after that, that what we have is Hindu Rashtra anyway, only we are declaring so now? Hence it is necessary to call out these building blocks, just so that we are not presented with a fait accompli even as we are challenging what the building is being painted with.

We have also to consider that all that is happening is taking place within a framework that is increasingly patriarchal, non-socialist, non-secular, and non-sovereign (in terms of not recognizing the sovereignty of the people of the land), paving the way for a Hindu rashtra - a theocratic state, while theocracy in some neighbouring/ nearby countries is decried.

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NOTE: Goans were citizens of Portugal before 1961, Indian citizenship was imposed/granted by the amendment to the Act of 1955 in 1962, but there was a diplomatic/international problem from 1961-1975 as, by UN agreements, only the state that grants citizenship can revoke it (in this case Portugal), and finally in 1975 after the agreement with Lisbon during

Mario Soares's term, Goans, and people of Daman and Diu were allowed the option to reclaim their former Portuguese citizenship. This DID NOT necessitate cancellation of their Indian citizenship which they had by then acquired pursuant to annexation of Goa by India.

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