Misplaced outrage on India’s new citizenship laws: Opinions of healthcare professionals

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ABSTRACT

Historically India, that is Bharat, has shown its acceptance for refugees and the prosecuted minorities. As a civilization, India has given shelter, unbiased protection and habitation to the Christians from Syria, Zoroastrians (Parsis) from Iran, and Jews since ancient times from the Kingdom of Judah. More recently, Jews also arrived in India from Poland during the holocaust. The constitution of India provides means for meeting the aspirations of the citizen of India of diverse faiths and spiritualism. Since inception it has undergone several amendments from time to time, through a democratic process and by the elected representatives in the Indian Parliament. This Citizenship Amendment Act, 2019 (CAA 2019) is in continuation of the same ethos of pluralism and civilizational trait of protection for the prosecuted. Authors present their perspective on the misplaced outrage on this issue specially propagated through international medical and medical journals.

Keywords: Persecuted religious Minorities, new Citizenship Laws, Healthcare benefits, misplaced outrage, vandalism, Health Professionals victimised

The Indian Civilization

India, The Republic of India, is the largest democracy and second most populous country in the world. India is also the oldest living civilization in terms of uniqueness and spiritual freedom. India survives despite centuries of years of foreign colonization from Middle Eastern and European countries. The current Indian constitution was adopted on January 26, 1950 after getting freedom from the British colonialism in 1947. It stands tested through more than seven decades and governs one of the most linguistically and culturally diverse countries on the earth. Historically India, that is Bharat, has given shelter, unbiased protection and habitation to the Christians from Syria, Zoroastrians (Parsis) from Iran, and Jews since ancient times from the Kingdom of Judah. More recently, Jews also arrived in India from Poland during the holocaust. Other such prominent incidences include the arrival of victims of 1947 riots in the current day Pakistan, His holiness Dalai Lama and the Tibetan, the survivors of 1971 Bangladesh war of Independence and Sri Lankan Tamils during the civil war.

CAA 2019: The Citizen Amendment Act 2019

Pakistan (now two nations of Pakistan and Bangladesh) was created as separate homeland for the believers of Islam, by the partition of the British colonized India in 1947. In 1949, the first constituent assembly of Pakistan passed the objectives resolution which envisaged an official role for Islam as the state religion to make sure any future law should not violate its basic teachings. The other hand the “The Republic of India” does not have such provisions. However, the Constitution of India provides means for meeting the aspirations of the citizen of India of diverse faiths and spiritualism.

Access this article online

Quick Response Code: https://www.jfmpc.com/doi/10.4103/jfmpc.jfmpc_245_20

How to cite this article: Bhat S, Parikh PM, Math SB. Misplaced outrage on India’s new citizenship laws: Opinions of healthcare professionals. J Family Med Prim Care 2020;9:2188-91.
not have a state religion. The constitution of India provides means for meeting the aspirations of the citizen of India of diverse faiths and spiritualism. Since inception it has undergone several amendments from time to time, through a democratic process and by the elected represented in the Indian Parliament This Citizenship Amendment Act, 2019 (CAA 2019)\textsuperscript{[3]} is in continuation of the same ethos of pluralism and civilizational trait of protection for the prosecuted. It is absolutely unconnected to any of the existing Indian citizens in any way. It is meant for non-citizens residing in India to escape religious persecution in three religious states bordering India by providing citizenship. Two of these countries were partitioned from India purely on the basis of religion for the believers of one faith. Section 2 of CAA 2019 states that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31\textsuperscript{st} day of December 2014, subject to compliance of Passport Act and Foreigners Act, shall not be treated as illegal migrant for the purposes of this Act. It is now a law enacted by the Parliament of India through a due democratic process.

**Indian Civilization: Indic versus Imperial Perspective**

A further step back to look at events in Indian civilization is due to see the Indic perspective and context to this progressive step by the Indian Government, rather than the external distorted, imposed version we commonly hear and read.

The historic assault on Indian civilization values by imperialism throughout the last millennium is well known, initially by Turkish, Arab, Afghan imperialists, and later by the European and British colonials. The basic purpose of colonial rule was to exploit the local resources and to transfer revenue generated to their native Land, denigrate and destroy local culture and replace it with their own. Over the 200 years of their rule, the British converted India from a country that was educated, hunger free with about 25% of the world's GDP\textsuperscript{[6]} to a country with widespread hunger poverty and just 1\% of world GDP in 1947. However, history being written by the winner, the imperial powers portrayed itself as a repository of values and culture with an absolute right to define what is truth and relevant, including the culture and social issues of a colonized country.\textsuperscript{[7]} Hiding their own dark side, while highlighting the shortcomings of a native culture, came naturally to them. Thus, the ugly side of the imperial rule has been conveniently omitted from convention books and school curriculums.

Diversity, mutual respect and harmonious co-existence are the ethos of the Indian civilization. Even other faiths born in India like Buddhism, Jainism and Sikhism propagate the same harmony and mutual respect. Being against religious monopolization, Indian civilization provides for the spiritual freedom. We have had leaders like Mahatma Gandhi who could mobilize an entire Nation for civil disobedience on non-violence principles, to fight the British imperialism. But this same tolerance has been often taken as weakness, and we have been repeatedly attacked; militarily, culturally, and ideologically. However, India remains, India survives; marching into the future of her original glory.

**Asymmetric Information, Divide and Rule, and Decolonization**

The decolonization of India to her original self is not tolerable to many. A classic example to illustrate this is the asymmetric information and push to the notion that “India became a nation thanks to the British”\textsuperscript{[8]}\textsuperscript{[9]}\textsuperscript{[10]}. Despite Indian Civilization being the oldest continuous, civilization in the world, many academicians mischievously spread false information about the common cultural traits common to this vast land called India or Bharat, that existed long before the imperialists invaded India. This is unlike the civilizations in Rome, Persia Egypt and others that fell to the invaders, and were destroyed. This colonial mind-set and misinformation about the common cultural, spiritual and philosophical past across the Indian subcontinent, continued even post-independence, and dominated the intellect discourse and every sphere of governance and policy-making. The academic ecosystem nurtured an apologetic approach toward the rich Indic civilization and heritage. So long as the Indian identity is defined by an outsider, the performance can never measure up and we will always be criticized.\textsuperscript{[11]} Efforts to decolonize the Indian mind-set is now increasingly seen by upfront questioning in recent years through television debates, virtual platforms, micro-blogging sites were flooded with inquisitive queries followed by documented historical, archaeological facts exposing many fallacies which till now were taken as facts in public discourses.\textsuperscript{[12]} There are individuals who have devoted their time and energy exclusively to sharing facts based on primary historical references. Few of them have faced online attacks, abuse and even had their accounts maliciously suspended, but truth will never die.\textsuperscript{[13]} Critics of decolonization have at best used Indian Data through a colonial lens, which will naturally fall short.

The British followed the policy of divide and rule, to widen the fissures in Indian society. Perhaps the biggest was the encouragement to the Muslim League to demand an separate Nation of Pakistan, based on a flawed hypothesis that two communities cannot live together in harmony. This ensured a continued strife in the sub-continent long after the British left, and kept Indian civilization held back. When leftover promises following partition, is completed after a long gap of 70 + years, through the CAA 2019 enacted by the Indian Government, the misinformation campaign once again kicks in to oppose the same, by exploiting differences between communities to fester unrest and disharmony.

**Pakistan that was India before 1947**

The constitution of the partitioned state of Pakistan\textsuperscript{[9]} states clearly that the state is meant for believers of Islam. This principle was implemented to the core, resulting in shrinkage of Pakistan's minority population from 23\% in 1947 to 3\%\textsuperscript{[14]} following suicide bomb attacks, forceful conversion of community members...
especially minor girls and destruction of houses of worship. This is besides State sponsored atrocities against minorities in the name of anti-blasphemy law using the controversial Pakistan Penal Code.[11] Section 295-b and C. Dr Ifitikhar H. Malik's[12] reported that “defending the principles of equal citizenship and non-discrimination, and disallowing the use of religion to violate the rights of non-Muslim and non-dominant Muslim citizens, must be priorities for any new government”. Fallout of such systematic minority persecution is being addressed by CAA 2019 of the Republic of India.

**Healthcare Professional’s Political Opinions, Outrage and Professional Misconduct; Healthcare Delivery Outcomes**

The authors of a recent BMJ blog[8] completely ignore atrocities on minorities in these countries, to create a wrong impression that benefits are being given selectively in CAA 2019, further falsely claim Muslims (from same countries) are excluded, and finally convey a distorted conclusion that all this violates the secularism in Indian constitution! Perhaps, the authors are ignorant about the facts of the Citizenship Act, 1955 because under the same legislation, Muslims from these neighboring countries will continue to get Indian citizenship, once they fulfil eligibility conditions already provided in the law, which stays unchanged since 1955.

With all this, any health care professional will appreciate the benefit to physical, mental and spiritual health of these prosecuted minorities, thereby fulfilling all WHO criteria for real health and wellness, all thanks to CAA 2019. Even though these matters are entirely India’s internal matter, such provisions are similar to those existing in other parts of the world.[14] In fact, this positive enabling amendment fulfils the promise made seven decades ago to minorities in Pakistan, by the founding fathers of our constitution, including Gandhi and Nehru[15]

Rather than accept these collective benefits of CAA 2019, and other benefits of National Security, harmony with long term physical and mental well-being of citizens, vested interests have indulged in fear mongering to claim that CAA 2019 provisions are a move to disenfranchise muslim citizens, All this only serves to justify the violent protests, while claims to save the Constitution stand totally exposed given the blatantly unlawful, anti-constitutional methods, placards, slogans and violence by the protestors including burning railway stations and trains, uprooting railway tracks, vandalizing public property, violating prohibitory orders and blocking arterial roads in Metros, etc.[16-18] Even college campuses have not been spared of this fake outrage.[19]

**Professional Conduct and Unhealthy Outcomes**

Issues the medical fraternity should rather be concerned include how their own colleagues have been unfairly targeted by Anti CAA Protestors to harm their Professional work and the patients they serve, just because they shared their support on CAA 2019 a law of land. Community leaders even issued open calls to boycott doctors for alleged support to CAA.[20] Things got worse when individual doctors are also targeted.[21] Even unfortunate events where emails were sent to Hospital Management demanding sacking, which shockingly was complied to.[22] All this just for supporting CAA on social media and asking illegals to be deported, which was distorted as supporting genocidal! Interestingly, not one incident has been seen, where a doctor opposing CAA has been threatened. Does this trend convey something? This should not have happened within the professional sphere.

The authors have earlier rebutted false claims made in a Lancet Editorial, after the Indian Government in August 2019 took the progressive step of withdrawing special status given to the state of Jammu and Kashmir and discrimination that resulted, through an Act of Parliament.[23] It is unfortunate a few continue to push a false propaganda on international scientific platforms, rather than understand facts based on history, law and civilization. Such regressive and disruptive narratives by medical practitioners clearly amount to Professional Misconduct, being a violation of the Medical Council of India code of medical ethics 2002 Section 1.1.2 which states “A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life”. Such violations are even more glaring when the authors fail to respond to critical factual lapses, and keep silent when fellow doctors are victimized just for holding a contrary view.[24]

**Medical professionals and political volatility**

Change is the only constant in life, besides death. Laws enacted by a democratic process in India must be respected at all costs, else it means rejecting democracy itself. If any one is unhappy with Laws passed, one can campaign against the same, get political support. If the idea is powerful enough, there will be enough supporters to get the required numbers and enact suitable laws in parliament. Instigating, provoking violence, and using threat of the same to oppose a democratic decision is uncalled for. Failure of democracy and institutions will encourage conflict, disaster, and ultimately impair healthcare delivery and adversely impact the overall population health. Medical professionals in India may well take note of additional need to maintain professional integrity during times of politically volatility. As citizens of India, it is the responsibility of the healthcare professionals as well to bring peace, harmony and progress, both to healthcare and the nation!

**Acknowledgement**

We would like to thank unknown and known individuals and groups on social media and in the online world, who have helped to view India from an Indie perspective.
Disclosure

All authors are citizens and residents of India. The viewpoint represents solely those of authors and in no way representative of the journal, editorial board or the publisher. It is also not representative of any organization affiliated to them professionally in past or present.

Financial support and sponsorship

Nil.

Conflicts of interest

There are no conflicts of interest.

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