

Muslims in Delhi: The Normative Non-citizen of the Global Urban

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MUSLIMS IN DELHI: THE NORMATIVE NON-CITIZEN OF THE GLOBAL URBAN¹

Ghazala Jamil

INTRODUCTION

How do we begin posing and examining anew the questions vis-à-vis Muslims position in the contemporary India? If we are to choose single most defining feature of India today it will be massive urbanisation² that we are experiencing as a country. This development is not an isolated one but the part of the globalisation project of neoliberal forces. World Bank sees this as a part of a global phenomenon it calls “the urban transition”. Delhi is seeing immense transformation in terms of infrastructure and facilities

¹ This paper comprises of parts of my doctoral thesis, fieldwork for which was conducted in five segregated enclaves of Muslims in Delhi between 2010 and 2012. I thank Prof Manoj K Jha for his guidance and support throughout this work. Some of the ideas have appeared in blog posts titled *The Fallacy of Progressive Yearnings*, and *A Case for Fractured Solidarities and Skepticism: Ghazala Jamil in response to Nivedita Menon on Anna Hazare* published on August 25, and August 22, 2011 respectively at www.kafila.org. I thank Rupal Oza and Chirashree Das Gupta for reading this draft, and for their critical and helpful comments.

² According to India Census 2001, 98 million people migrated all over India in the 90s, an increase of 22% over the previous decade. In absolute numbers 7-8 million people get added to urban population of India every year. Large cities are getting larger- 35 mega and metro cities in the country account for 37.8% of the total urban population. Delhi has outgrown all other urban centres since 1951- above 50% per decade. 2001 census pegs Delhi's population at 1,38,50,507 with a population density of 9340 persons per sq km (300,000/sq. km. in the Slums). Department of census operations projected that as on July 1st, 2008 Delhi's population was expected to be 1,71,15,000 and is expected to grow further to 23 million in 2021.

for those who can afford it but the change processes have also ended up marginalising further the already poor and marginalised sections of the urban population. The changes have, of course, also impacted urban spaces, social relationships as well as the way everyday life is lived by its inhabitants. Today, while the urban condition is attracting the same kind of attention that glamorised ‘the rural’ in sociological and development literature of the 1960s and 1970s, the Muslim populations within the urban spaces receive no mention of their position within “the urban transition”. How do these processes impact Muslims and what is (if any) the impact they may in turn have on it? No doubt that urban Muslim has also been affected but not much present scholarship is invested in studying the urban Indian Muslim. The spatial and geographical turn that social science scrutiny has focused on the urban also seems to completely bypass the issues of segregation of Muslims in the urban landscape.

I submit that the city is not a cauldron that brings all the constituent ingredients together, it is rather a multilayered sieve segregating people via a process that is, paradoxically, at once quite subtle and also coarse. Elsewhere, I have also shown that the roots of the processes that have important role to play in maintaining and reproducing this segregation lie in material causes and that these processes are geared towards capital accumulation (Jamil, 2014).

In this paper, I focus my attention to examining the new processes of creation and expression of social identities of Muslims in Delhi, interaction of urban Muslims with urban public spaces and institutions; and socio-political positionality of Muslim in urban social fabric.

I first lay out multiple discourse weaving processes that are influenced by the ‘official’ State-recognised version regarding which labels to apply to whom. I contend that there are important and devastating consequences of how these labels manifest in daily life of Muslims in Delhi. Mainly, that segregation and spatial relegation of a community is based on the worth of the ‘city-zen’. Judgement regarding their ‘worthiness’ as loyal citizens is caught in the discourses regarding their lumped-up identity labels and activated by various

facets of sovereignty of the State as exercised upon the Muslim subject.

I move forward by conceiving Delhi as part of the global urban where the global processes are manifested in local and the 'local' itself becomes mired in contradictory processes of devaluation of citizenship, urban development and urban governance. And, I attempt to establish the linkages between the processes of globalisation and the peripherisation of the poor from the spaces of affecting governance. As citizenship becomes a function of power for contestation and capacity for claim-making the governance mechanisms become more and more privy to elites and corporate lobbying, and the major task of the State becomes that of a manager of inequalities. In such a situation Muslims find themselves experiencing an acute deficit in citizenship. Because of their discursive subalternity they are rendered incapable of expressing any concerns that relate to their other identities such as being part of unorganized workforce in the country.

Utilising theoretical formulations of Foucault and Agamben, I place this discussion within the realm of State power and governmentality directing a closer examination of how these manifest in a segregated locality of Muslims.

DELHI: A BRIEF HISTORY OF RELATIONS OF MUSLIM SUBJECT WITH THE INDIAN STATE

I begin with a compelling question, "Where does the often invoked idea of 'Muslim alienation' stem from?" Very simply put—relationships of production in a capitalist structure alienate workers from their own produce. In other words surplus in one place is bound to produce deficit in another. Capitalism permeates *everything* in a given social structure and alienates a class of people within it. Similarly, I propose that it is in the systems and institutions of governance in which the Muslim experiences a deficit in citizenship and alienation in the political community. A State relates to its people by a social contract which is operationalised in the citizenship granted to its subjects. The Indian reality as experienced by Muslims falls way short

of the understanding of 'Citizenship' in a structure of governance where the State makes a *legal promise* of equality and full integration in the political community.

Habermas (1994) opines that this promise is to be realised via writing constitution and building requisite institutions. Various commentators have opined that Habermas' position is normative, procedural, utopian and unmindful of the actual limits imposed by discursive preconditions on equal participation by all legal citizens. In reality, citizenship as experienced by all the legal citizens is not an equalising *status*- 'a full and equal membership in a political community' as mentioned in a commonly cited definition by TH Marshall (1950). It is rather an *asset* that is inequitably distributed with some among the 'legal citizens' experiencing a deficit in citizenship while others enjoy citizenship in surplus. Foucault exhorts us to focus on the study of how constitution is interpreted and practiced in institutions in reality and emphasises transgressing the view of writing constitution as an effective way to empower a citizen (Flyvbjerg, 1998). Directed thus, let us turn to examine citizenship 'as experienced' not *legally* but *normatively* by Muslims through a close examination of the history of their relations with the State, and contemporary contestations and negotiations of Muslims with the mechanisms of governance in Delhi through the practice of everyday.

I put forward that the citizenship deficit that confronts Muslims at present in Delhi has at its foundation a long history and the colonial 'legacy' of strained relationship with the State. Here, it is the "historicity and the embeddedness" of citizenship and the national State that is under scrutiny rather than their legal-formal features. Gramsci (1971, p. 52) asserts that the State is a realisation of historical unity of the ruling classes and it is their history that is the history of the State. On the other hand, 'the subaltern classes, by definition, are not unified and cannot unite until they become a "State"'. Their history is therefore intertwined with civil society, and thereby with the history of States or groups of States.' Gramsci then goes on to lay down methodological criterion for a subaltern reading of this history, which includes, among other things, looking beyond the immediate in the

story of domination, covering all repercussions of domination, conceptualising subaltern globally, and studying development of parties that include elements of the hegemonic group. It is in this *spirit of Gramsci* that I move forward with my analysis in this part and those subsequent to it.

Spivak (1988) points out that in Gramsci's original covert usage subaltern signified "proletarian," whose voice could not be heard, being structurally written out of the capitalist bourgeois narrative. She asserts that in postcolonial terms, *Subaltern* is not just a fashionable synonym of deprived or oppressed. It signifies the space inhabited by those who have limited or no access to the cultural imperialism – having been systematically written out of mainstream discourses.

Such a reading exposes how colonial English writers – bureaucrats and missionaries presented a convenient image of a 'Muslim' rule to legitimise the British seizure of India from the remnants of the Mughal Empire. Indian historians and writers uncritically borrowed these colonial narratives on the 'Hindu' India and 'Muslim' despotic, foreign and imperial rulers as authoritative statements about India's past. (Bharucha, 2003) This discourse weaving can be traced back to the events that took place during and after the revolt of 1857 'Sepoy mutiny' and the role played by Muslims, especially artisans, during the revolt (Chandra, 1979). After the British crushed the revolt and regained control of Delhi, they judged all Muslims to be rebels and went after them ruthlessly. Distrust of the State meant that Muslims were edged out of both land and employment. In fact all Muslims were evicted from the walled city in Delhi and their properties confiscated (Khalidi, 2006, Gupta 1981).

During the course of fieldwork for my doctoral degree many old residents of the walled city recounted hearing stories from the elders in their families about Muslims having been required to get a permit issued from their Hindu employers in order to gain entry in the city to work in those days. This obviously took a huge toll on the community, from which it took a long time to recover. When the anti-Muslim sentiment in the British colonial State ebbed, the walled city slowly became home again to a sizable community of Muslim

small manufacturers, shopkeepers and artisans (Gupta, 1981). At the turn of twentieth century Muslims constituted 32.5% of the total population of Delhi (Khalidi, 2006), but the distrust and suspicion remained. Distrust between the colonial State and its Muslim subjects as also between Hindu and Muslim communities marked all negotiations for a standing in social and political space in the country. This continued even after the British rule in India ended with the division of India and Pakistan in 1947 (Hasan, 1990). In fact, it was this distrust on which the foundation stone of the Muslim State of Pakistan was laid.

Muslims in Delhi experienced independence as rioting, looting and stabbings. By September 1947, 60 percent of the Muslims of Old Delhi and 90 percent of New Delhi had fled their homes. Between 20,000 and 25,000 were said to have been killed. Towards the end of October about 1.5 lakh of Delhi's 5 lakh Muslims remained (Pandey, 2001). From the other side of newly crafted border Delhi received the highest number of refugees for a single city. The population of Delhi grew from under 1 million (917,939) to a little less than 2 million (1,744,072) in the period 1941-1951 (Census of India, 1941, 1951).

Creation of Pakistan reaffirmed in many complicated ways a concept rooted in the colonial discourse and highly embroiled with the politics of communalism in India even today – of Islam as a foreign imposition and being Hindu a 'natural' condition of Indians. Over the years since after the Partition and Independence of India classifications and exceptions have been introduced to the conception and definition of citizenship which reflected the communal faultlines (Jayal, 2013). Tracing the history of construction of Indian Citizenship as a legal status Jayal (ibid) discerns a 'long shadow of Partition' looming over it. Partition of India and creation of a 'Muslim' Pakistan also proved a fertile ground for the idea that Indian Muslims are less inclined players to the cause of nation and nationalism and, by the extension of the deductive logic, inadequately committed to the value of participation in the Indian polity. And, thus begins a new chapter of Muslims in India as lesser citizens which still continues in Muslim localities in various parts of the country being called 'mini-Pakistans'.

Post-partition the affluent and educated Muslims had all left Delhi for Pakistan and those who did not leave were poor artisans belonging to 'lower' castes- their claim to normative citizenship of the independent India weaker than ever. Such was the fear and threat perception, many participants of my doctoral study report, that it appeared unthinkable in the days immediately following partition for Muslim youth to visit Connaught Place although it had been a common leisure activity among the youth in pre-partition Delhi. People report being afraid to move about anywhere in the city freely, except the walled city. One of my respondents, Mr Qamar says,

A Muslim boy or a man, especially a bearded man dared not venture to Khari Baoli... Paharganj, Connaught Place. It was considered very dangerous... If someone did go... we would wonder oh! He has gone to Paharganj, God knows if he'd return or not... the environment was such... what would a person do if not be confined to only their own neighbourhood?

Having lost lives, property, livelihoods and suspected of being disloyal, many say that many among those who had remained began wanting to leave the country if they could afford to. The Indo-Pak war of 1965 hit some of these aspirations but only after the liberation of Bangladesh in 1971 did the last ones hoping to go to Pakistan settled down finally to the status of normative unequal citizenship in India.

The next brush of Delhi Muslims with the State came during the period of Emergency, in 1975, when many parts of the walled city were bulldozed after forced evictions of mostly Muslim and poor residents (Tarlo 2003). In the present analysis this episode is important because it presents itself as the first mention of areas where predominantly Muslim population resided as dirty blotches in the urban landscape. Post-emergency, Muslim population was living scattered in pockets in and around Old Delhi, Okhla, Basti Hazrat Nizamuddin, Mehrauli and Seelampur. These pockets got consolidated into segregated Muslim areas.

Segregation of Muslim in specific areas is a characteristic of Delhi's spatial-demographic profile. To be fair, segregation per se (on class

or regional identity lines) is a characteristic of Delhi but I forward that involuntary segregation poses serious challenges in front of anyone concerned with the notion of citizenship as membership of a political community. Independent India extended a legal citizenship to all in its vast multitude through constitution writing with only a minimal distinction as part of the ‘adult franchise’ doctrine. Muslims who stayed behind in India after the partition for various reasons have found that mainstream discourses continually equate them to Pakistan. The representative democracy required them (like other citizens) to be participative in actual processes of political governance in a limited sense of electing their representatives only. While formal inclusiveness was guaranteed but their marginal status in hierarchy of Indian polity was pronounced and continued to be that way by way of denial of equal normative citizenship which was not just a formal status but an enabling condition. In whatever limited way the ‘duties’ that the State requires its citizens to perform mark the idea of citizenship in a way that citizenship denotes activity or, at least, ‘capacity’ for activity. People are thus liable to be judged for their worth as citizens based on the development of certain characteristics displaying civic virtue (‘virtue’ derived from Latin *virtus* which means manliness in the sense of performing military duty, patriotism, and devotion to duty and law). Apart from other social disadvantages, from the point of my interests in this inquiry, segregation of Muslims away from largely Hindu-only city neighbourhoods prevents optimal collective participation and spins off the vicious cycle of decreased participation and consequent representations of Muslims as a community of people with devalued civic virtue as contributing, willing and, loyal citizens. This, in turn, becomes one of the covert justifications of segregation.

In 1990, widespread Hindu right-wing mobilisation via the *Rath Yatra* led by LK Advani, leader of Hindu Nationalist party, BJP as part of Ramjanmbhoomi Movement left a trail of anti-Muslim riots and massacres in many parts of North India. Beginning with this event, the decade of 90s saw a relentless, violent onslaught on Muslims in India culminated in arguably the most devastating and ferocious

episode- the 2002 Gujarat Pogrom. The pockets of Muslim population got consolidated (some even expanded) after each communal riot in the country especially the post Babri Masjid demolition riots in 1992 and Gujarat pogrom in 2002.

This part of the history of communal violence coincided almost perfectly with the initiation and pursuance of neo-liberal 'reforms' in India (Chatterjee, 2009). It is also interesting to note that both these processes show a good congruence with the trends of global Islamophobia in the post 9/11 world and swiftly accelerating economic 'globalisation' project world over.

At this point in the narrative I re-position my perspective and conceptualise Delhi as a city in the *Global Urban*. Saskia Sassen (2010) cajoles us to engage with sociological methods, concepts and data on a global analytical landscape even though they may not have been chosen or created to address a global phenomenon. One of the ways this can be done, she further argues, is by conducting research especially ethnographies of multiple processes that may be operating within the national boundaries but are most often either global in nature or at least are engaged by the global processes. She emphasises that such processes may be embodied and experienced in the local but they accommodate and enable global dynamics.

What exactly are the factors in Muslim marginalisation in Delhi (indeed, in India) is a complex question that has been answered variously. We are very well familiar with overarching allusion to Muslims as irrational, backward and anti-modern people that are routinely used to 'explain' their predicament. Yet, there can be little denying that large scale poverty, the activities of the far right and Islamophobia have impacted the way the word 'Muslim' becomes configured. All the three components of this configuration are simultaneously, 'national'- specific to India and, 'global'. Thus, I locate the examination of this configuration of the word 'Muslim' in the decade of 90s in Delhi as the Global Urban. And, since the trajectories of the neo-liberal policies of the State and communal politics gaining legitimacy are intricately intertwined I direct this examination now at the subsequent fortunes of the 'reforms' in India for some clues to

the fate of Muslim community and insights into the issue of citizenship.

DELHI- A CITY IN THE GLOBAL URBAN

The way globalisation is often spoken about in mainstream discourses makes it appear a fuzzy (and warm) concept, engaging with which we may find it easy to forget that it is simply the name of a process within which large corporations make quick profits because they have now an enhanced freedom to move their operations from one location to another in quest for cheap labour, raw materials, markets and concessions from national governments and local administrations. Finance capital moves easily from one national economy to another unencumbered by any State and societal regulations but movement of people chasing capital flows across national boundaries is tightly regulated (Stiglitz, 2002). And often, movement of labour even within national boundaries can be fraught with extreme distress and disadvantages and be circumscribed by markers of identity and class. Increased communications of people, cultures and ideas across boundaries (especially the boundaries of nation states) is definitely also a feature, but this freedom is limited and available only to a small minority on the right side of the economic and digital divide (Sassen, 1998). 'Globalisation' in terms of uniform/equal access to opportunities, ideas and lifestyles is truly a phenomenon of the 'global' elite. The globalisation project clearly leaves out the agendas of the people while catering to the warm and fuzzy wishes of the elite.

From amongst the various much discussed and well documented features of globalisation I turn my attention towards one of the core premises of globalisation, which is that the State cannot deliver and must not intervene in market driven processes. The receding of the 'inefficient' and 'corrupt' State is proffered as a panacea of all the ailments that plague the masses in developing economies. In the first decade of the twenty-first century the neo-liberal 'reforms' of the 90s assumed a 'missionary' zeal in Urban India- à la Jawaharlal Nehru National Urban Renewal Mission (JNNURM). This essentially envisaged expansion of the neoliberal agenda to many more sectors

of engagement of the governments in Urban India. One of these is privatisation of public utilities and welfare services (electricity, water, education etc), along with deregulation of markets. In substantive terms, the Government of NCT Delhi displayed its own ‘missionary’ spirit by introducing schemes like Bhagidari and Samajik Suvidha Sangam (SSS or Mission Convergence) that are a part of its ‘commitment’ to “convergence of urban management functions with urban local bodies” as stated in the Checklist for Mandatory Reform Agendas in the JNNURM Memorandum of Association.

The Resident Welfare Associations (RWAs) of the Bhagidari programme are associations of people that are already segregated on the well charted topography of identity and class, and Delhi government’s Bhagidari programme incentivises exclusionary view of communities. The ‘active’ and influential RWAs in the programme act as elite pressure groups to make claim to benefits exclusively for its members who are also members of the powerful economic elite (Ghertner, 2011). They influence the government and bureaucracy at the cost of *less active* citizens’ welfare who do not have the time or the funding at their disposal to sustain such pressure group tactics. Solomon Benjamin (2010) investigating similar tendencies in the city of Bangalore explains that the trajectory of corporate funded and sometimes even explicitly corporate governed civil society is in the upsurge in view of the consuming potential of this *active citizen* in the middle of media hype. He argues that this has “thrown off course and left confused urban progressive activists and many academics who cling to the idea of participatory planning, good citizenship...” Benjamin points out that while marginalised groups have traditionally mobilised local political power circuits comprising local politicians-grassroots party workers, corporators, MLAs etcetera for attaining and accessing services, these are the very realms that elite circuits of NGOs, self-professed activists, and progressive academics shun from their vision of participation. Benjamin further argues that considerable influence of urban elites is exercised outside the confines of the mainstream political contests which may be the only arena where masses can disrupt neo-liberalising influences that have financial

power, media hype and corporate influence. Ghertner (2011, p. 523) agrees when he says, ‘In addition to strengthening RWAs, incorporating their problem definitions as part of the ‘mentality’ of government, and giving them privileged access to upper- and lower-level state workers Bhagidari’s second effect is the weakening of the electoral process and forms of bureaucratic ‘fixing’ upon which slum dwellers have historically been dependent.’

Programmes and ‘Missions’ such as JNNURM, Bhagidari and Mission Convergence are being run either with funding and directives from international monetary and trade agencies like the World Bank and the WTO etcetera, or they are being run in conjunction and ‘partnership’ with corporate controlled civil society organisations such as CSR fronts and corporate funded NGOs. Thus, the phenomenon extends itself to governance by corporations or those entities that are being controlled by corporate capitalism. The government is downsizing in the name of modernisation and efficiency and, creating an illusion of filling this vacuum created thus, by symbolically emphasising ‘participation’, ‘active citizenship’, and the role of ‘civil society’. Paradoxically, the RWAs and ‘civil society’ organisations- are in the thick of this movement of downsizing of government and erosion of democratic citizenship.

In such a scenario, the State seems more concerned with the *management of inequalities* rather than endeavour towards progressive attainment of equality for all its subjects. Urban Governance in India includes no attempts at spatial and social integration and on the contrary, as a diversionary tactic, encourages segregation. It need not require much elaboration then how this would impact the already marginalised and *lesser citizen* Muslims.

Despite this kind of citizenship deficit it would be fallacious to say that the State is absent from within these segregated Muslim localities. In Delhi, the State has in fact a deep presence and penetration in these marginalised localities via NGOs that are co-opted into garnering complicity of masses towards the receding welfare State and collecting data ostensibly for disbursing public welfare services and programmes through administering and monitoring the Gender

Resource Centres (GRCs) of Mission Convergence in Delhi. The harvesting of bio-metric data for Aadhaar was pursued most aggressively in slums, resettlement colonies and Muslim localities by agencies that are not answerable to any democratically elected representative body. During the course of my doctoral research, I saw that photocopies of Aadhaar registration form were selling for as much as fifty rupees. There was a scramble among poor and rich Muslims alike to get Aadhaar cards because the public campaign mounted it almost as the last opportunity for people to claim citizenship although in its stated functions UIDAI (Unique Identification Authority of India) sought to collect biometric data and confer UID to *all residents* of India without it having any bearing on their citizenship status, rights or entitlements.

The contradiction inherent in these processes is that governance functions in the city are being fragmented territorially while on the other hand political concerns of unequal groups that need to be addressed differentially are seeing a strange kind of ‘convergence’ entrepreneurial management. I contend that this is contributing to fortifying the segregation and surveillance regimes instead of integration and inclusion. The State receding from its welfare function but stealthily strengthening its surveillance functions both impacts the citizenship experiences of Muslims in the city as they constitute what is the city’s marginal population both socially and territorially. Further, this amounts to the neo-liberal State making deliberate attempt to not only slowly erode democratic citizenship but also to push the discourse of hiding disparity. This is in line with Saskia Sassen’s (2002) assertion that citizenship in the global city is a mix of distinct and possibly contradictory elements in contrast to being a ‘unitary category or a mere legal status’.

An important and useful viewpoint in this regard is that of Arjun Appadurai (2006) who says that the violence that minorities are facing across the globe is intrinsically linked to and is a manifestation of the processes of globalisation. He opines that the exploitative relationships manifest in globalisation when coupled with its amorphous and slippery nature, evoke what he calls ‘fear of small

numbers'. Using illustrative examples from India and abroad, Appadurai says that even though there may not be clear cut patterns regarding which communities are targeted in which context, what is clear to him is that, 'rather than saying minorities produce violence, we could better say that violence, especially at the national level, requires minorities'. (ibid, p. 45-46)

CITIZENSHIP AS CLAIM-MAKING AND POLITICS OF SOLIDARITIES

Another example that illustrates this point is the civil society initiative by a network of NGOs called India Against Corruption (IAC). The supporters of IAC and those mobilised in its protests gatherings were predominantly middle class that vehemently painted all political parties in same hue regardless of the differences in ideology because they 'are all corrupt'- corruption being defined in strictly monetary terms and not as a moral prerogative (Shah, 2012; Chatterjee, 2012). The vision of this 'movement' was shown to be tinged with authoritarian ideas which was criticised on one hand for their implicit links with the Hindutva groups and trying to give a clean chit to Narendra Modi for his developmental work in Gujarat on the other hand it was also critiqued by many for its views, ideology, methods and demands (Sharma, 2011). The leaders of the mobilisation made their contempt of democratic processes public and were supported by people who were equally contemptuous of these processes that they alleged are 'dirty', 'vote-bank driven', 'corrupt'. It was argued both by the agitations leaders and supporters in the progressive circles that the passionate sentiment of a large number of people by itself sufficiently justified whatever demands they were making. This implicitly would amount to justifying the large mobilisations of anti-Mandal campaigns, Ramjanmbhoomi campaign and, the passionate *and* violent Bajrang Dal, ABVP mobs imposing their version of 'Bhartiyata' on streets and university campuses across India (Jha, 2011). Extending this Hobbesian logic would also mean that it would be possible to justify (as there have been not entirely unsuccessful attempts) to justify 2002 Gujarat pogrom which saw the majority

organise in large attacking brigades and kill Muslims to punish them in a state-legitimised twisted version of communal relations. In subsequent elections Gujaratis have turned in large numbers to reward Modi and vote him to power.

Clearly, the implication of this vision was that the space for Muslim participation in IAC mobilisation was fairly limited. The saffron tinge was obvious in the non-cognizance of the leaders of the other sense of corruption- that of the executive, bureaucracy, police and judiciary literally not doing anything for the victims of Gujarat 2002 and other earlier pogroms against the Muslim community. In addition, the IAC rhetoric that all political parties are the same, rung hollow to the Muslims. As any minority that has been under attack from a political ideology in power knows, Muslims too know the difference between BJP and other political parties in India. Quite simply put, it can be the difference between life and death.

The mobilisation also brought forth an extremely important aspect of power that a community can muster to launch a contestation of rights for its members in public sphere. It is that historically Muslims are required to leave their own issues and questions behind when their participation is solicited by any movement. Movements, political parties and NGOs often resort to symbolism of including Muslims but only to add numbers. A real or even strategic solidarity is never sought to be built. The burden of building solidarities always lies with the most marginalised within the margins. In her book *Recovering Subversion*, Nivedita Menon (2004) discusses how mainstream women's movement in India has been opposing reservation within reservation for OBC and Muslim women. 'Why?' She asks, 'Are OBC women not women?' Muslim and OBC women have never been afforded much space within mainstream women's movement in India which remains a largely upper caste, upper class north Indian Hindu women movement. Muslim women keen to build solidarities with the 'mainstream feminists' are asked to jettison their fears, suspicion and issues which are never addressed beyond the personal laws discourse vis-à-vis Muslim women. This is not to say that there are no Muslim feminists within this mainstream but they are well assimilated into

the dominant discourse and oppose the 'division' of their movement solidarities on caste and religion lines. When the elite women's mobilisations contest their right to go freely to pubs and wear whatever they want to wear without fear of violence and harassment, the feminists from 'backward' classes feel obliged to support but the feminist movement in India has never raised those issues that confront Muslim women in their daily lives but do not invoke their Muslimness explicitly.

Interestingly, apart from the Lokpal Bill numerous other draft legislations such as the Communal Violence Bill, and Unorganised Sector Workers Social Security Bill have been long delayed in the parliamentary procedures because of being mired in various controversy. These have failed to find comparable support among the elite circuits. The elite circuits and their new found candle-lit political activism has shifted the scale of political contestations in public sphere. Maverick ideas, skills and competence to attract media gaze ensure that certain groups are needed only pad up the protesting crowds, if at all. Nationalist discourses are the staple of these 'modern' elite mobilisations, and thus, any critical engagement is disallowed. For the elite, security of their person, property and their lifestyles is the major preoccupation.

POLITICS OF LIFE-STYLE AND BIOPOLITICS OF STATE

Anthony Giddens's (1991) interest in what he called 'reflexive modernity' or 'late modernity' led him to explore the questions of security and life styles or 'life politics' as he calls it. He does not see the concerns regarding 'security' as a symptom of postmodern age and end of modernity. Rather, he proposes that the practise of reflexivity in the modern practices actually open the possibility of change and improvement, but, he claims, that it also leaves a gap that may potentially house the fear of change, scepticism and feelings of insecurity. It is also as if to a modern, liberal, reflexive individual everything is changeable, interim and anything is possible. The challenge to tradition presents itself as a human problem and late modernity exacerbates this insecurity to all pervasive levels. Giddens

actually claims that this reflexivity pervades even institutions and the conceptions of knowledge and possibilities of intervention by institutions in conceptions of human body and life. Giddens juxtaposes the ‘emancipatory politics’ of the modern to the ‘life politics’ of the late modern. While the former is more familiar to us as that politics which aims at freedom from exploitation and coercion, the core concern of the ‘life politics’ according to Giddens is ‘politics of lifestyle’. It is the politics that is geared towards fashioning and expressing a self-identity and self-actualisation, and is based more on personal ethics. We can see the operationalisation of this kind of politics in that of the new social movements such as the Feminist movement and LGBT movement. Giddens further asserts that this has been made possible because of ‘end of nature’ (ibid, 1991, p. 224) by which he means that even the human body is no longer seen as unalterable physiological entity but as a site open to practice of ‘reflexive modernity’.

The central insight offered here is explosive. The marginalisation of class discourses by identity laden discourses is a phenomenon that does not need much elaboration. But it bears pointing out that identity discourses of the reflexive late modernity are severely limited to articulation of aspirations regarding lifestyle choices and find it difficult to intertwine within their discourse a concern for emancipation from systems of power and dominance, especially class. Although, it is possible to discern the strains of what Giddens describes in the contemporary, his ‘life-politics’ is inadequately and disappointingly centred only on individual self-actualisation and does not adequately lend itself to enable a comprehensive understanding of interplay of power relationship in a larger social canvas. To comprehend those I turn to Foucault and Agamben.

In classical philosophy the Greek words *bios* and *zoe* are used to distinguish between two conceptions of life. While the meaning attached to the word *bios* refers to human life circumscribed by notions of good and bad, proper and improper—unlike any other living being, *zoe* refers to the simple fact of a human being existing just like any other animal. Thus, *bios* stands for the ‘political life’ and *zoe* stands

for what Agamben has called ‘bare life’. Within classical political philosophy the ultimate end of politics is to ensure a just and good life for human beings. Foucault recognised in his work *A History of Sexuality* (1976) the conception of a new and distinct form of political rationality of State that centred on viewing its population as resources to be managed in pursuit of power, rather than on utilisation of power in pursuit of freedom and good life for the citizen. This wish for management required that the State developed knowledge about its subjects as human bodies whose capacities can be developed and who can be disciplined. This then is the purpose towards which, for example, the GRCs of Mission convergence are geared towards. The State relates to its subjects not in terms of their specifically human life but in an abstract aggregated statistical way. Foucault termed this political rationality *biopower* which, when exercised, reduced *bios* to *zoe* for all practical purposes. The conception of biopower also includes the use of technology to exercise power over bodies. Agamben further elucidated the concept of bare life as that which has been exposed to State of exception. In simple terms, it takes exceptional circumstances to collapse the difference between *bios* and *zoe*. For a human being his or her life to be reduced to bare life effectively means that though the biological existence is given, there is no concern for the *humanity* in existence. Needless to say, the consequences for a population to find themselves in these circumstances can be alarming. Agamben, in fact, uses an analytical device afforded in a conceptual category of people in Aristotle’s conception of polis- *Homo Sacer*, to grasp Nazi States’ sovereignty over its subjects in extermination camps. These were those populations (mostly Jewish) that sovereign State created only to strip them of all political rights and discard them to margins, while they were simultaneously being included in spheres of State power that wielded control over their right to life.

A useful starting point for my purpose in using this framework appears to be Agamben’s (1998) assertion that a close scrutiny of the figure of *homo sacer* of archaic Roman law is valuable in any attempt to unravel the codes of political power and sovereignty in modern times in which *life itself* has become the principle object of State power.

Talking of Nazi concentration camps, Agamben focuses on the ‘paradoxical status of the camp as a space of exception’ (ibid, p. 96) and the fact that those excluded by the sovereign into the camp are taken into account (included) by the very act of exclusion. What they are included into is a juridical order of the ‘state of exception’ which in Agamben’s words is “the extreme form of relation by which something is included solely through its exclusion” (ibid, p. 18). In a theoretically parallel analysis but the one in which Agamben’s analysis is rooted, Foucault explored questions of power and war. In his book, *Discipline and Punish* Foucault (1979) he expanded the conceptual scope of ‘war’ as a paradigmatic device to ask deeper questions on power as it is exercised within the modern political arena. One of the things he proposes be done is to introduce historicism (archaeology) to achieve an alternative reading of history of, what he insists is, a secret discursive war that operates in societies. This may be the pathway that leads to a better view of a continuous coding and recoding of power relations that do not follow any unitary order but are haphazard.

When the State wills to exercise its sovereignty and doles out death summarily to a life that by its own definition qualifies to be ‘killed without the commission of homicide (and that is, like *homo sacer*, “unsacrifice-able,” in the sense that it obviously could not be put to death following a death sentence)’ (ibid, p. 94) it does so in a new juridico-political paradigm in which exception (extra legal killings) become normalised. The normalisation of exceptions ensures that it is never questioned. Agamben persuasively argues that in a camp-like situation the sovereign power does not limit itself to *defining* the situations in which the ‘exceptional’ will be exercised but effectively *produces* the situation of exceptions. Which is the reason why raising the question of what is legal and what is illegal in a concentration camp makes no sense whatsoever. At this point Agamben credits Hannah Arendt (1951) with the insight that totalitarianism exists on this very principle that people suspend their common sense to believe that *anything is possible*. To understand how Agamben uses the concentration camp as the ‘*nomos* of the modern’, it bears quoting him at length:

‘Insofar as its inhabitants were stripped of every political status and wholly reduced to bare life, the camp was also the most absolute biopolitical space ever to have been realized, in which power confronts nothing but pure life, without any mediation. This is why the camp is the very paradigm of political space at the point at which politics becomes biopolitics and *homo sacer* is virtually confused with the citizen. The correct question to pose concerning the horrors committed in the camps is, therefore, not the hypocritical one of how crimes of such atrocity could be committed against human beings. It would be more honest and, above all, more useful to investigate carefully the juridical procedures and deployments of power by which human beings could be so completely deprived of their rights and prerogatives that no act committed against them could appear any longer as a crime. (At this point, in fact, everything had truly become possible.)’ (ibid, p. 97)

Technologies of governmentality produce inequalities and the state is not oblivious to its role in the Same. In fact, as stated earlier, the State also equips itself of those technologies that enables it to possess deep knowledge of these inequalities. Foucault clearly identifies that biopolitics can be said to be operationalised in situations when biological features of individual persons are measured and recorded such that population profiles may be aggregated from the ‘bio-metric’ data so collected. These processes enable the State or make it possible for the State to establish standards and norms in public sphere according to which human lives are valued differentially. Life, then, can be treated as a mathematical entity that can be measured, compared, added, averaged and, therefore, also be ‘separated’—both epistemologically and practically—from real human beings. Those systems of knowledge and discursive practises that contribute to or form part of the biopolitical processes do not exist autonomously and inform the governmental action or practices but rather depend upon the practises of the State itself. Census surveys, research committees, and photo and biometric identity proofs ‘produce a population’ that may subsequently be managed.

In this context, Foucault differentiates between ‘sovereign power’ and ‘biopower’. Since there is an agreement of sorts that Foucault

did not develop the concept 'biopower' fully and deeply, there is a controversy regarding the framework in which he conceived it. Agamben takes it that when Foucault says (1976, p. 180) 'one might say that the ancient right to kill and let live was replaced by a power to make live and reject into death' he is alluding that sovereign power has transformed itself into biopower in the modern 'liberal' security regimes. Certain commentators on Agamben's work like Tagma (2009) point out that Foucault does not mean that these are two forms of power that lie in different temporal zones—one developing into the other—but rather that they co-exist.

The question that occupies most authors is whether biopolitics is different or can be distinguished from more familiar or traditional forms of political activity. For this study I also examine how this difference is important for explicating on contemporary experiences of political representation and political articulation.

The domain of State's biopolitics is presumably not new but in the pre 9/11 world it was becoming increasingly too narrow for the States in the 'democratic' world to manoeuvre legitimately in the matters of life and death of their subjects. 9/11 attacks mark many landmarks in the recent history and it does seem to several authors such as Butler (2006) and Žižek (2009) that among other things, it gave the State renewed control over life and death of all kinds of *Homo sacri*. For example, police in various States of India felt free to go about dispensing 'justice' in what are essentially extra-legal killings but 'popularly' called 'encounters'. It is in this death-dispensing posturing that the State truly reveals its absolute sovereignty over a subject—suspending their constitutional rights ostensibly to protect the 'rule of law'.

RE-IMAGINING POLITICAL CONTESTATION AND DEATH

In case of Muslims in India, the findings of State sponsored Sachar committee report are being continuously used to legitimise the (seemingly benign) reasoning that acute deprivation and communal attacks/violence are causes enough to turn Muslim people into terrorists. It is then only reasonable that all Muslims are suspected as

potential terrorists. Even those Muslims who are not poor and/or do not live in Muslim neighbourhoods believe that poverty, deprivation and ‘ghetto’ living are conditions enough to turn Muslims into ‘Islamist terrorists’ as evident in articles such as the one by Nomani (2008) which appeared in LA Times. But those who are directly impacted by this logic obviously do not find it easy to buy it. Revelation of ‘fake encounters’ such as that of Ishrat Jahan, also plant suspicion regarding the veracity of these ‘encounters’ in people’s minds. Batla house ‘encounter’ is one such example, regarding which the prevalent Muslim belief is that it was pure fabrication by Delhi police—part of a bid to brand them all terrorists.

I contend that extra judicial killing of students of Jamia in Batla house re-wrote the profile of a Muslims as potential suspects for acts of terrorism. Not only that Muslim who had experienced communal violence or structural violence of poverty and discrimination was a potential terrorist but also the young student, or educated professional resident of middle class Muslim neighbourhoods. Jamia Nagar and Jamia Millia Islamia were implicated in the public sphere as spaces that gave birth to and harboured these cold-blooded, scheming terrorists who had the technical knowhow and resources to be well connected with global Islamist terror networks. Being made to feel guilty for partition of the country, represented as irrational fundamentalist fiends, loathsome and polluted, disloyal normative non-citizens, and potentially dangerous terrorists Indian Muslims were thus fashioned as *homo sacri* in the public sphere.

In August 2012 Mumbai saw a protest organised by a Muslim group to protest against killings of Muslims in violence between Muslims and Bodos in Assam and Rohingya Muslims in Myanmar. A section of the crowd went on a rampage targeting the media OB vans and police. Police Commissioner, Arup Patnaik, who has since been transferred was much lauded for the ‘exemplary restraint’ that he showed in not giving shooting orders to his subordinates on duty at the site. But he was also criticised by many for being ‘soft’ on the Muslim crowd and for ‘growling’ at his own forces. Patnaik’s response

to this allegation is telling not of just what was at play on that fateful day when despite his 'restraint' two Muslim men died in the firing but also the how certain situations and people are perceived in the 'normal' functioning of the State. He said,

“When I came in, I found my entire force running helter-skelter. They had guns... SLRs and hands on the trigger. Had they fired, 200-300 people would have died. My entire aim was to stop my people from firing because I had handled the 1992 riots as DCP...What happened? 188 people died on the first day,” (Mumbai Police Commissioner transferred, 2012)

In an article about political pressures on police officers handling riot situation, written in context of Patnaik's role in Mumbai riot control, a retired IPS officer B. Raman (2012) said, “Not infrequently, situations get out of control not because of the violent mobs, but because of over-reaction by the police in dealing with the mobs and disproportionate use of force by the police.” In another opinion piece carried by the news daily *The Hindu*, Jyoti Punwani, raised questions regarding the lack of action by the state government and Mumbai Police against blatant violence and rioting by Shiv Sena and MNS- both parties belonging to the Hindu right- which has become a regular occurrence in Mumbai targeting workers and taxi drivers from UP, Bihar, couples on Valentine's day, South Indians etc. Punwani claims that Shiv Sena's and MNS's violent posturing and the lack of will of the State to bring them to books has become an accepted part of the city and, that the Muslim youth that protested violently probably took it that they can expect the same treatment from the State. Punwani opines that not only were the Muslim rioters mistaken that *anyone* can get away with violence in Mumbai but the fact that the entire Muslim community in Mumbai and elsewhere in India was left apologising copiously for a protest that was ill conceived.

An important example that effectively illustrates the preceding analysis is the case of the 'Sealing Drive' in Delhi in 2006. This instance in the recent history of Delhi unveils complex dynamics of political economy of built environments, the material logic of segregation, contestations and negotiations of elite circuits with the unorganised

sector in claiming their vision of the city, and, bio-politics of the State.

The case exemplifies a tussle between big capital and elite networks represented by RWAs on the one hand and traders and small manufacturers on the other. Elite RWAs insisted in this case filed at the High court of Delhi that their sense of security, peace of mind, tranquillity, and aesthetic sensibilities were being offended by business establishments within the residential areas. An appeal for preventing mixed land use was in line with the vision of the Delhi Master Plan and on the agenda of previous Delhi state governments headed by the BJP and the Congress. The judge presiding over the case, Justice Sabharwal, showing keen interest in the case passed a verdict which effectively was read as a mass eviction notice to lakhs of establishments which were 'illegal' (Mehra, 2012). Allegations of misconduct on Justice Sabharwal came to light later, illuminating the nexus between big capital and judiciary. Justice Sabharwal's son owned a real-estate firm that gained substantially from an instance of demolitions as a result of the implementation of court order by civic bodies.

The traders in Delhi have mainly been Punjabi Hindu-Sikh but many small traders and small manufacturers belong to various diverse social backgrounds too. Diya Mehra (2012) points out that the movement run by the traders' association employed Partition rhetoric profusely. While on the other hand they used the daily wage workers associated with their businesses to pitch up the protest against a judicial order which was anti-poor, anti-worker and anti-unorganised sector.

During protracted protests, in which the traders associations were reluctant to go to the Supreme Court because it could have also given a judgement adversarial to their interest, the traders associations continuously negotiated with the state and central governments, the municipal corporation as well as the Delhi Development Authority. Violence and rioting was also used strategically as a final device of pressurising the State and elite networks. There were many incidents of rioting and damage to public property such as state transport buses. Eventually the government informed the court of its inability to implement the order as it would give rise to a law and order situation.

Ovais Sultan Khan, an activist and a participant of my study gave me an account of the occurrences that led to the shooting:

(OSK) I was in twelfth standard then. Like many other boys in the neighbourhood I went out to see what would transpire. The call for demonstration against sealing was given by Mr Masood Ali Khan who has contested municipality elections twice ticket but lost... But soon there was a crowd over which neither Mr Masood nor anyone else had any control. Most of them were labourers and even rickshaw pullers. There were no traders... nobody whose business actually faced any threat of sealing.

(GJ) So... what precipitated the situation?

(OSK) It is impossible to say with any certainty. But apparently someone threw a stone at the policemen.... at the DCP's car The police opened *lathi* charge but immediately started using tear-gas also on the crowd... after that there was confusion... total chaos... then the DCP ordered to open fire. Official figure is three but five people died. I was there... I saw it happen. Police did not even let the family members of the dead bring the bodies to Seelampur citing further violence.

(GJ) Are you sure about that? Because I read in a news article that police requested but the families did not agree...

(OSK) Hundred percent sure... they were buried in Bihari Colony graveyard near Shahdara under police *bandobast*. No one from Seelampur even went for *janaza* (funeral).

(GJ) Then what happened?

(OSK) Nothing... I wrote a representation to the President of India and led a delegation to give him the memorandum. Abdul Kalam was the President then... He heard me silently and did not say anything... nothing at all... we did not even get any reassurance from his office. We came back empty handed. Nothing happened. At least in the Batla House encounter there have been demands of judicial enquiry... Delhi traders and the BJP used the Seelampur shootings to bolster their protest but not once did they, or for that matter anyone else, demand a judicial enquiry into the incident.

While the traders' association and the government used the deaths

to further their argument that the issue could escalate into large scale violence, the traders were also quick to dissociate themselves from alleged ‘Mohammedan’ violence. Mehra (ibid) marks death of Muslim men as a final turning point in settling the deal with the State. The government passed a bill in the parliament conceding to the demands of overturning the high court judgement and Delhi Master Plan 2021 came into force allowing mixed land use in certain areas of Delhi. According to her, the traders’ association leaders were relieved that ‘somebody had finally died’ (ibid, p. 87). She says, “In Seelampur, local retailers-cum-manufacturers reacted by stone pelting to what they saw as yet another attempt at their closure, having already experienced eviction in the case of small-scale industries. After relentless closure and sealings, it appeared that both the small Muslim manufacturer-trader and the large wholesale Bania trader seemed to know, despite their vast sociological and physical distance, that what was required was a politics of *irrational excess or urban violence*.” (ibid, p.87) (emphasis added)

At the end even Mehra who effectively established the frequent recourse that the trader’s movements took to Hindutva rhetoric succumbs to the stereotype of irrational, violent Muslim and fails to recognise why the spectre of final violent turning point in the culmination and success of the movement would be located in Seelampur. This is the only logical explanation to why, when violence and rioting had happened elsewhere too in the city by protestors, firing and killings took place only in Seelampur. The logic from within the mainstream discourses which makes it seem but natural that the *irrational excess or urban violence* would take place in a space that was already and conveniently stigmatised for the same. Even though the issue at hand, around which the crowd had been mobilised had no connection with ‘Muslimness’ of the protestors, eventually, imageries employed by the police to open fire was that of ‘Muslim’ violence. In the neo-liberal India where citizenship is increasingly a function of the capacity of a people to collectively make claims, Muslims find that their capacity to claim equal normative standing as citizens of this country is severely limited by their effective normative status of

non-citizen, *homo sacri*. Every act of criticism of the State can potentially attract the refurbishing of the ‘anti-national’ allegation and consequent stigma. The only form of public voice that was still available to them collectively could be put to use only to claim that their sentiments and sensibilities ‘as Muslims’ had been hurt by some act or speech or text, because this was the only claim that fitted their image of irrational, infantile, backward people. Thus, their critical speech and their right to protest also stood forfeited *de facto*.

Judith Butler concurs in contending that public sphere is not defined only by the content of what is being discussed but also ‘in part by what cannot be said and what cannot be shown. The limits of the sayable, the limits of what can appear, circumscribe the domain in which political speech operates and certain kinds of subjects appear as viable actors’ (Butler 2004, pp xvii). Butler further argues that this limit of what can be seen or not seen (in terms of acknowledgement of its existence) in public sphere has implications for perpetuation of violence against people who according to her become ‘faceless’ or represented as ‘faces of evil’. Because of this reason their lives can be eradicated and ‘public grieving’ for the loss can be ‘infinitely postponed’. Butler concedes that not getting any acknowledgement of their grief in the public sphere, some people may turn to political rage and get trapped into a never ending cycle of loss and grief for loss of ‘precarious life’. But she makes a very fine and nuanced point that all forms of mourning may not lead to inevitable conclusion of justifying violence. In case of Muslims in Delhi, the frequent victimisation by police (read State) and condoning of the patterns in processes of representation has largely lead to a feeling of despair and a suspicion of all forms of discourses about them emanating from the State as well as other discursive practices such as journalism and even social science research. This results in further alienating them from public sphere—effectively precluding any possibility of expressing meaningful critical dissent.

The matter that bears serious consideration in the final analysis is asking—would a people who have been rendered stateless by virtue of their effective exclusion by the State *itself*, necessarily want to

transcend the State? The desires of those who live in a State of exception are strangely most often to be included in the political community as an equal. In so many instances around the world a large number of people alienated by the State aspire to citizenship of the same State. It cannot be overstated that alienation by the State is not a sufficient condition for people to turn against it. It is a paradox of modern democracy that the people who extend the nuanced, informed albeit a qualified support without succumbing to blind nationalist rhetoric are actually those who are at its periphery and do realise that the State and its machinery are frequently anti-people regardless of the political hue of the party in power. Those who have suffered the oppressive and exploitative functioning of State do recognise that often the last recourse and only avenue of hope (however bleak) for the excluded are within the juridico-political setup of the State.

Second, we should recognise that though Indian people, media and even intellectuals often find it easy to blame political parties for playing caste politics, abetting communalism and communal violence, preserving corruption etc, it is the sections of 'people' themselves that are communal, casteist and corrupt. Foucault constantly alludes to the local and diffused nature of disciplinary power which is embedded in the entire society as opposed to Agamben's centralised sovereign. It is this diffused disciplinary power which makes people believe that the State of exception is the norm. An account of State power may begin to read like an exercise in conspiracy theory only if we do not realise that the decision regarding who gets designated as 'not fit to be an equal human' is not a top level decision. For Deleuze and Guattari (quoted in Tagma, 2009, p 416),

'sovereignty is not a force operating at the top level but is supplemented by: "rural fascism and city or neighborhood fascism, youth fascism, and war veteran's fascism, fascism of the Left and fascism of the Right, fascism of the couple, family, school, and office." Fascism works at the micro level in the actions of soccer hooligans, nationalist militias, trigger-happy Blackwater mercenaries, racist bartenders, and bigoted party leaders. What goes on in prison camps, understood in this sense, is not

just the product of a pure and simple Schmittian decision; instead, prison camps are spaces that are constructed and maintained at the micro level. Prison camps are “legitimated” by a regime of truth and classification intrinsic to biopower, which provides petty bureaucrats, border patrol agents, intelligence interrogators, and so on, with the authority to implement sovereign violence on physical bodies.’

It is some sections of citizens who consistently thwart the claim of ‘others’—such as Muslims—to equal citizenship calling them ‘foreigners’, ‘infiltrators’, ‘Pakistanis’. It is the people who discriminate with prejudice or with rational calculations against Muslims in opportunities at policy formulation, opportunities in education, jobs and welfare services. Too often, elite mobilisations form a symbiotic relationship with forces that go on passionately in their relentless persecution projects in different parts India while youngsters are growing up in segregated enclaves feeling that they are second class citizens of the country.

As for the earlier mentioned confusion of the progressive intellectuals who fail to acknowledge the contradictory role of the State and people *both* acting their part in enforcing disciplinary and affinities to authoritarianism within democracies. They often resort to the essentialist binary of State as unadulterated evil but ‘people’ as essentially ‘angelic’, forgetting that the phenomenon ‘people’ consists of not just a plurality but of fractured, diffused parts of system of dominance itself. Much of brutality, injustice and oppression in this country happen because of the laws and the fact that State machinery tends to be more concerned about protecting private capital but much of it happens not only because of absence/presence or strength/weakness of laws. It happens because prejudice, discrimination and oppression are deeply and intricately woven into our social fabric. The onslaught is so aggressive and violent that it incapacitates people from even coming together to voice their interests and opinion.

The above reasons put together forms the narrative of why Muslims in India have no movement to articulate and contest for equality despite such acute levels of marginalisation, oppression and poverty. At the ground level Muslims do participate in other

movements (including IAC campaign) but all these movements have accorded the issues of Muslims in India to a secondary status, if they are considering them at all. The leaders and the participants both in fact emphasise ‘assimilation’. When Muslims do raise issues specific to them they are told that they have a problem of dragging religion into everything. Yet the probability of raising general issues of livelihood, class dominance etc are silenced when Muslims issues are frequently reduced in research and journalistic writing to the issues of personal law, fundamentalism, terrorism etc. For example, because the ‘legitimacy of large numbers’ implementing Sachar commission recommendations is alleged to be appeasement. In fact, Muslims have all but been told to forget about it. Salman Khurshid who owes his career to being a Muslim leader in Congress party told Muslims that ‘Sachar committee report is not Quran’ that it must be followed (Chishti, 2011).

Though within Dalit and Feminist movements Muslims have still negotiated for and have been accorded relatively more space, the violence of caricaturing and stereotyping of issues goes on at differing degrees in all progressive movements who solicit Muslim participation to pad-up their crowds but never highlight the priorities of Muslims, never address them directly and make no attempt to provide them any succour. Within the Dalit movement, ‘Dalit Muslims’ must prove that they are dalits and treated discriminatory *as dalits*. In the Feminist movement Muslim women must assimilate in the womanly ‘sisterhood’. The identity ‘Muslim’ has no use-value whatsoever.

In such a situation laws are often (whenever they are available and usable) are the only tools of accessing protection and justice. The process is not flawless but it is only one that allows for any hopes of safeguards to a fully human existence. While I try to utilise Agamben’s theoretical formulations I shudder at the memory from elsewhere in the world where some people have been reduced constitutionally to a second class citizenship. It is reprehensible that such demands made by elites are being justified and legitimised in the name of ‘large numbers’ and ‘will of the people’ through media-hyped, self-styled mobilisations. Of course, following Agamben and

Arendt we know that such events are entirely possible in democracies as it is a system that is obliged to override its basic postulates in order to legitimise them. It is not then an entirely unbelievable contradiction that the most vulnerable on the margins appear to defend the State—affirming and reaffirming their faith in its supremacy. They are only defending what may be the last straw that will break their back that is already overburdened not by the abstraction that the state is, but by the atrocities of those who exercise the diffused disciplinary power in working the State mechanisms, institutions and processes to reduce people to bare life.

I quote at length, an extremely ominous and captivating discussion by Agamben while discussing the limits of exceptions within the Nazi concentration camps.

Now imagine the most extreme figure of the camp inhabitant. Primo Levi has described the person who in camp jargon was called “the Muslim,” *der Muselmann* – a being from whom humiliation, horror, and fear had so taken away all consciousness and all personality as to make him absolutely apathetic (hence the ironical name given to him). He was not only, like his companions, excluded from the political and social context to which he once belonged; he was not only, as Jewish life that does not deserve to live, destined to a future more or less close to death. He no longer belongs to the world of men in any way; he does not even belong to the threatened and precarious world of the camp inhabitants who have forgotten him from the very beginning. Mute and absolutely alone, he has passed into another world without memory and without grief. For him, Hölderlin’s statement that “at the extreme limit of pain, nothing remains but the conditions of time and space” holds to the letter.

What is the life of the *Muselmann*? Can one say that it is pure *zōē*? Nothing “natural” or “common,” however, is left in him; nothing animal or instinctual remains in his life. All his instincts are cancelled along with his reason. Antelme tells us that the camp inhabitant was no longer capable of distinguishing between pangs of cold and the ferocity of the SS. If we apply this statement to the *Muselmann* quite literally (“the

cold, SS”), then we can say that he moves in an absolute indistinction of fact and law, of life and juridical rule, and of nature and politics. Because of this, the guard suddenly seems powerless before him, as if struck by the thought that the *Muselmanns* behavior – which does not register any difference between an order and the cold – might perhaps be a silent form of resistance. Here a law that seeks to transform itself entirely into life finds itself confronted with a life that is absolutely indistinguishable from law, and it is precisely this indiscernibility that threatens the *lex animata* of the camp. (Agamben, 1998, p. 103-104)

SUMMATIVE REMARKS

Finally, I contend that we may conceptualise the residents of Muslim neighbourhoods (of Delhi) who are subject of governmentality that solicits their political participation only through communal polarisation and who are treated normatively as non-citizens at the minimum and as *Homo sacri* in the extreme. The process that fashions Muslim subjects in contemporary India unfolds via, firstly, a very real threat of violence by communal forces and segregation that State seems not to do much about and often directly abets. Secondly, via an intense activity of the State to collect information that seeks to identify Muslims minutely, but, this deep knowledge acquired by the State rarely results in dispensation of welfare. And thirdly, through State’s biopolitics of controlling life and death directly with the constant threat of being labelled a ‘potential’ terrorist of Muslim young men, arrested without due process to spend several years in jails contesting law suits that have no substance in majority of the cases or summarily killed in extra judicial ‘encounters’.

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