

Ethno-Religious Nationalism and the Restructuring of Citizenship in India: A Constitutional and Diplomatic Analysis

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Abstract

India's 2019 Citizenship Amendment Act (CAA) and the revocation of Article 370 mark a significant shift from secular democratic principles toward ethno-religious nationalism. The CAA introduces religious criteria for citizenship by offering expedited naturalization to non-Muslim minorities from Pakistan, Afghanistan, and Bangladesh, while deliberately excluding Muslims. Simultaneously, Article 370's revocation dismantled the constitutional autonomy of Jammu and Kashmir, India's only Muslim-majority region. This qualitative empirical study employs document analysis, comparative legal analysis, and critical discourse analysis to examine legislative texts, constitutional amendments, and academic literature. Primary data sources include constitutional document, and citizenship laws. Secondary data is drawn from indexed scholarly articles, books, and reputable media. The article uses Religious Nationalism Theory and Neoclassical Realism as its theoretical framework to analyze the domestic ideological dynamics underpinning Hindutva and the filtering mechanisms in India's foreign policy. The study finds that the legal architecture of the CAA-NRC fosters systemic discrimination and the risk of statelessness, particularly targeting Muslims, while the removal of Article 370 undermines collective political autonomy through centralized control. Despite widespread criticism from the Organization of Islamic Cooperation, India maintains strategic partnerships with Gulf states, driven by pragmatic economic interests that outweigh pan-Islamic solidarity. This article contributes by integrating constitutional and diplomatic analysis within an ethno-religious framework, clarifying the interconnectedness of domestic policy and international relations. It fills a gap in the literature on the linkages between majoritarian domestic policies and global response, providing an analytical framework for policy development, human rights advocacy, and international relations research in pluralistic democracies.

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INTRODUCTION

The foundational identity of post-independence India was built upon constitutional commitments to secularism and liberal democracy, designed to manage the nation's profound religious and cultural diversity (Newbegin, 2011). India's distinctive approach to secularism, characterized as a doctrine of principled distance and celebratory neutrality, mandates that the state engages with all religious communities while avoiding preferential treatment for any single faith (Acevedo, 2013). This constitutional framework, which envisions individual citizenship unfettered by religious or caste identity, has been central to safeguarding minority rights within the world's largest democracy. However, in recent years, this foundational consensus has faced formidable challenges from the ascendancy of ethno-religious nationalism, commonly known as Hindutva, which posits that Indian national identity is inextricably linked to Hindu culture and religion (Jaffrelot, 2021).

The 2019 electoral mandate of the Bharatiya Janata Party (BJP) translated into two transformative legislative actions that marked critical junctures in this ideological shift: the Citizenship Amendment Act (CAA) and the revocation of Article 370 (Government of India, 2019). The CAA provides expedited citizenship to non-Muslim religious minorities (Hindus, Sikhs,

Buddhists, Jains, Parsis, and Christians) from Pakistan, Afghanistan, and Bangladesh, explicitly introducing religion as a criterion for citizenship for the first time in Indian constitutional history. When viewed alongside the proposed National Register of Citizens (NRC), this framework has been widely criticized for creating legal mechanisms that disproportionately render Indian Muslims vulnerable to statelessness (Chandrachud, 2020). Concurrently, the revocation of Article 370 dismantled the constitutional autonomy of Jammu and Kashmir, India's only Muslim-majority state, dissolving it into two centrally administered Union Territories and fundamentally altering the region's political and demographic landscape (Bag, 2024). These measures, while legally distinct, represent a coordinated strategy to reshape the Indian state's relationship with its Muslim minority at both individual and collective levels (Sebastian, 2023; Sodhi, 2025).

Recent studies have critically examined these policies from various perspectives. Studies on the CAA have highlighted its departure from India's secular constitutional principles, particularly its incompatibility with Article 14's guarantee of equality before the law (Ananda, 2024). Scholars argue that the CAA-NRC nexus undermines India's secular identity by marginalizing Muslim communities and creating systemic risks of statelessness and disenfranchisement. Similarly, research on Article 370's revocation has explored how the move was discursively constructed by the BJP as necessary for national unity and development, while critics framed it as an assault on democracy and minority rights (G. Bhatia, 2020). The international dimension has also received attention, with studies documenting India's success in maintaining bilateral relations with key Gulf states despite domestic controversies, indicating that economic and strategic interests increasingly outweigh normative concerns in India's diplomacy with the Islamic world (Kumar, 2023).

To broaden the theoretical context and enrich comparative analysis, two international cases may be highlighted as key references. First, the model of ethnic democracy developed by Sammy Smootha in the Israeli context illustrates the dynamics of political exclusion based on ethnicity within a nation with a strong national identity (Smootha, 2002). In this framework, the ethnic majority maintains formal and social political control, while minority groups are managed through democratic mechanisms that still entail structural exclusion. Second, the case of Myanmar demonstrates how changes to citizenship policy, particularly through the Citizenship Law of 1982, have resulted in marginalization and statelessness for the Rohingya ethnic minority (Htun, 2019). This study explains how exclusive legal measures systemic impacts on minority communities can have, triggering humanitarian crises and drawing international attention to the principle of non-discriminatory citizenship.

Despite this growing body of literature, a critical gap remains. While prior studies have examined the CAA, NRC, or Article 370 revocation in isolation, few have systematically integrated legal-constitutional analysis with foreign policy assessment. Existing research tends to focus on either some domestic implications for minority rights or international diplomatic responses but rarely connects both dimensions within a unified analytical framework. This convergence of domestic and foreign policy transformation reveals a new form of ethno-religious statecraft that has yet to be fully theorized. This study addresses that gap by integrating constitutional and diplomatic analyses of India's ethno-religious nationalism, this study offers a novel interdisciplinary framework that bridges constitutional law and international relations, revealing how domestic policy shifts significantly impact bilateral relations and global perceptions. This study investigates how India's domestic citizenship restructuring, exemplified by the CAA and Article 370 revocation, affects its bilateral relations and the dynamics of ethno-religious nationalism.

The urgency of studying India's ethno-religious nationalism and the restructuring of citizenship lies in its profound impact on both domestic social cohesion and international relations. The enactment of the CAA and the revocation of Article 370 not only redefine the constitutional boundaries of inclusion and exclusion but also trigger significant diplomatic responses from neighboring countries and the broader international community. As these legal changes intertwine issues of identity, minority rights, and regional stability, analyzing them through a combined constitutional and diplomatic lens is essential to fully understand their far-reaching implications.

This study thus fills a critical gap by highlighting the multi-layered consequences of domestic policy shifts, and offers insights valuable to scholars, policymakers, and practitioners concerned with constitutionalism, identity politics, and the dynamics of South Asian international relations.

The objective of this research is to analyze the impact of constitutional reforms on India's international relations and to conceptualize the intersection of domestic policy and foreign diplomacy within the country's ethno-religious transformation. This study examines how the politicization of religion in India's citizenship policy, exemplified by the CAA and the revocation of Article 370, serves as part of a coordinated political project to redefine the Indian state along ethno-religious lines. It investigates the constitutional and legal effects of these reforms on the rights and status of Muslim minorities, particularly through the CAA-NRC mechanism and the dismantling of Kashmir's autonomy. Furthermore, the research explores how these domestic changes influence India's diplomatic relations with Muslim-majority countries, focusing on the phenomenon of diplomatic decoupling, where economic and strategic interests increasingly overshadow normative solidarity with Muslim minorities. The study hypothesizes that the CAA and Article 370's revocation constitute a coherent ethno-religious nationalist agenda that challenges India's secular constitutional identity and generates complex new dynamics in its foreign affairs.

The analysis indicates that issues of religious nationalism and citizenship in India have significant implications for democratic governance, minority rights, and international relations. Evidence from recent constitutional reforms, including the implementation of the CAA and the revocation of Article 370, demonstrates measurable changes to the legal status and rights of Muslim minorities, accompanied by shifts in national identity framing along ethno-religious lines. Research findings show that democratic processes were employed in ways that contributed to the marginalization of vulnerable populations, challenging assumptions regarding the effectiveness of liberal democratic institutions in protecting minority rights. Data from diplomatic records and bilateral interactions highlight that these policies have produced complex international effects, particularly in relations with Muslim-majority countries, where economic and strategic considerations frequently supersede expressions of normative solidarity. By integrating constitutional, socio-political, and international data, this research provides new theoretical perspectives on the operations of ethno-religious nationalism in plural democracies, and proposes practical frameworks for policy development, advocacy, and scholarly analysis. The study's interdisciplinary approach, linking constitutional and diplomatic aspects of India's ethno-religious transformation, offers a novel perspective bridging constitutional law and international relations.

METHODS

This study employs a qualitative research design to examine the politicization of religion in India's citizenship policy through systematic analysis of legal texts, policy documents, and diplomatic communications. A qualitative approach is most appropriate for this research because it enables deep contextual understanding of complex socio-legal phenomena that cannot be adequately captured through quantitative measurement (Morgan, 2022). The research integrates three complementary analytical methods: document analysis, comparative legal analysis, and critical discourse analysis.

This study employs a data corpus comprising purposively selected documents relevant to the CAA of 2019 and the revocation of Article 370. The primary sources for this research encompass constitutional texts, particularly the Constitution of India with specific focus on Articles 14 and 370 as foundational legal frameworks. Legislative documents integral to the analysis include the Citizenship Act of 1955, the complete text of the CAA 2019, and Presidential Orders C.O. 272 and C.O. 273 that accompanied policy implementation. Additionally, official government statements and diplomatic communications issued by the Ministry of Home Affairs and the Ministry of External Affairs represent substantial primary data sources. Secondary sources comprise peer-reviewed academic articles, books, and coverage from credible national and international news media. Documents were selected based on three criteria: direct relevance to the research questions,

credibility of the source, and accessibility through public archives or online repositories. This purposive sampling strategy ensures analytical focus on the most substantive and authoritative documents while maintaining methodological transparency (Bowen, 2009).

Comparative legal analysis served as the first analytical technique, systematically evaluating the constitutional implications of the CAA and Article 370 revocation against fundamental principles enshrined in the Indian Constitution (Adam et al., 2017; Siems, 2022). This analytical approach proceeded through three interconnected dimensions. First, textual comparison of the CAA and Presidential Orders was conducted against constitutional provisions, particularly Article 14 concerning equality before the law and the Preamble's commitment to secularism. Second, doctrinal analysis examined how these policies align or conflict with established judicial interpretations and legal precedents, especially the foundational Basic Structure Doctrine articulated in *Kesavananda Bharati* (1973). Third, consequential assessment traced how these legal changes affect the constitutional status and rights of Muslim minorities within India's legal framework. This methodological approach enabled systematic identification of legal inconsistencies, potential constitutional violations, and broader implications for India's secular legal architecture.

Critical discourse analysis (CDA) constituted the second analytical technique, examining how language constructs narratives, legitimizes power, and reproduces ideology within policy contexts (Handford & Gee, 2013; Jones, 2024). CDA was applied to parliamentary debates, government justifications, and diplomatic communications to identify patterns in rhetorical strategies and discursive mechanisms. The analysis incorporated multiple aspects of language use in official policy communications. Policy documents and parliamentary debates were assessed to identify recurring discursive themes, including binary distinctions such as “refugees” versus “infiltrators” and “integration” versus “terrorism.” Evidence from these sources indicates that language is systematically employed to construct categories distinguishing legitimate citizens, primarily non-Muslims, from groups depicted as questionable or threatening, predominantly Muslims. The investigation also documented legitimation strategies, including frequent references to security threats and appeals to humanitarian protection, as key justifications for exclusionary policies. Discourse patterns were situated within socio-political and historical contexts, with references to *Hindutva* ideology and its influence on political rhetoric corroborated by academic sources and media analyses. Collectively, these findings demonstrate how ethno-religious nationalism is constructed and normalized through official language and policy framing, with state communications actively shaping public perceptions of citizenship and belonging.

The methodological framework employed in this research integrates legal analysis with examination of official discourse, enabling empirical linkage between constitutional interpretation and patterns of political communication. Through the combined use of document analysis, legislative records, and media sources, this approach applies socio-legal methods commonly utilized in nationalism studies to systematically connect legal reforms with the discursive strategies present in policy justification. Data from these sources demonstrate how constitutional changes and public rhetoric operate in tandem to shape outcomes related to citizenship and national identity. To enhance the study's validity and credibility, two triangulation strategies were employed. First, data triangulation involved cross-referencing information from multiple document types—for instance, validating government claims against human rights reports and academic analyses to identify both convergences and discrepancies. Second, methodological triangulation combined document analysis, comparative legal analysis, and critical discourse analysis, enabling examination of the research problem through diverse analytical lenses and thereby reducing the bias inherent in reliance on any single method (Thurmond, 2001).

Several limitations should be acknowledged. First, this research relied exclusively on publicly available documents and did not include primary data collection through interviews or fieldwork with affected communities, policymakers, or legal practitioners, which could have provided deeper experiential insights. Second, the analysis could not access confidential government deliberations or classified diplomatic communications, potentially limiting understanding of behind-the-scenes

decision-making processes. Third, the study's timeframe (2019–2025) means recent legal or diplomatic developments after September 2025 are not captured. Despite these constraints, the robust triangulation strategy and comprehensive document corpus ensure the findings are credible and well-substantiated within the defined scope.

Nukhet Sandals and Jonathan Fox (2013) in their work "Religion in International Relations Theory" propose that religion, far from being a negligible variable in international analysis, represents a significant force for shaping actors' perceptions of national interests, policy legitimacy, and collective identity. This theory emphasizes that religion operates through several mechanisms: first, as a worldview that influences how decision-makers define problems and solutions; second, as a source of legitimacy for policy justification; third, as an element of identity that distinguishes "us" from "them"; and fourth, as a mobilizing factor for non-state actors who can oppose or support state goals.

In the Indian context, religious theory in international relations helps explain how Hindutva ideology, which defines Indian nationalism as a manifestation of Hinduism, became the main cognitive framework for the BJP elite in formulating citizenship policy. The CAA and the revocation of Article 370 cannot be understood solely as pragmatic instruments for managing migration or regional security; both should be seen as crystallization of a religious worldview that prioritizes Hindu identity as essential to Indian nationality. The first mechanism, the religious worldview, influences how the BJP defines what is meant by "citizenship" and "national unity". The second mechanism, religious legitimacy, appears in the way governments justify their policies by referring to the concept of national dharma and the responsibility to protect the Hindu majority. The third mechanism, religious identity, is clear in the way this policy creates a binary category between non-Muslims (who are seen as a threatened minority in need of the protection of the Hindu state) and Muslims (who are viewed with suspicion or as "the other").

Sandals and Fox emphasize that religious states, states that define their national interests by reference to religious doctrine, cannot be analyzed using a purely secular framework. In the case of India, the transformation from a Nehruian secular state to a state that increasingly defines itself through the religious identity of the Hindu majority has far-reaching implications for the conceptualization of citizenship. Religion is not only an independent variable that influences policy choices; Religion is also the substance of the redefinition of the identity of the state itself. By integrating religious theory in international relations with the framework of neoclassical realism, we can understand how the perception of the elite shaped by the religious worldview translates, through the capacity of the Indian state, into transformative policy strategies.

The study adopts the framework of Neoclassical Realism (NCR) to analyze and explain the central puzzle of the research: how India can simultaneously pursue domestic ethno-nationalist projects while successfully managing its diplomatic impact to maintain strategic partnerships with Muslim states. This framework was chosen for its unique ability to bridge systemic-level analysis (international pressures and opportunities) with domestic-level variables (ideology, leadership perceptions, and political structure), which are often overlooked by more traditional theories of International Relations (IR) theories such as Neorealism or pure Constructivism.

Introduced by Gideon Rose (Rose, 1998) the main thesis of Neoclassical Realism is that the foreign policy behavior of a country is a product of a two-step transmission process. In the first step, the pressures and opportunities of the international system (such as the distribution of power, the threat of alliances, or global economic opportunities) provide the basic stimulus for state actions, as described by structural realism (Waltz, 2000) However, unlike Neorealism, the NCR argues that these systemic pressures do not automatically or directly translate into foreign policy. Instead, the pressure must be "filtered" through a series of intervening variables at the domestic level. This intervening variable is at the core of the NCR framework.

There are several main filters, but for this study, two are the most relevant: (1) elite and leader perceptions, and (2) state structure and state society relations (Schweller, 2004) The first filter, the perception of the leader, is crucial; It includes how decision-makers, shaped by their ideological

beliefs, interpret international pressure. The second filter, state structure, has to do with the ability of the state apparatus (such as the power of the ruling party, bureaucratic cohesion, or control over civil society) to mobilize resources and implement the policies desired by the leaders. This framework was chosen because it appropriately allows us to place Hindutva ideology within the Indian policy-making apparatus as the main perceptual filter. In applying this framework to the focus of research, Neoclassical Realism provides a powerful analytical tool for dissecting both dimensions of the problem. First, to analyze India's domestic actions (CAA and Article 370), this framework allows us to see them not as purely "domestic" policies, but rather as a manifestation of how the ruling elite (BJP) perceives India's national interests. Through the filter of Hindutva ideology, "security" and "national interest" are redefined ethno-religiously, where the secular status quo and autonomy of Kashmir (Article 370) are seen as internal threats to a cohesive Hindu state.

Thus, the NCR helps explain why India is taking international diplomatic risks, because domestic ideological filters prioritize ethno-nationalist consolidation over normative external stability. Second, this framework brilliantly explains the phenomenon of "diplomatic decoupling" from Islamic countries such as Saudi Arabia and the UAE. NCR allows us to analyze their behavior through the same two-step screening process. Systemic pressures for Gulf states include the urgent need to diversify economies (away from oil), balance regional threats (especially Iran), and secure energy supplies and investments. Their domestic "filter" is not pan-Islamic solidarity, but economic pragmatism and regime survival. Therefore, Indian diplomacy succeeds because it cleverly passes through the ideological filter (by not addressing religious issues) and directly draws the pragmatic and systemic filters of the Gulf elite. Thus, the NCR explains how two countries can interact pragmatically at the systemic level, even though their domestic ideological filters (Hindutva vs. Regime Pragmatism) are completely different.

RESULTS AND DISCUSSION

Politicization of Religion as a Coordinated Political Project: Legal Framework and Ideological Architecture

An analytical examination of the CAA of 2019 and the revocation of Article 370 of the Indian Constitution during the same year demonstrates conclusively that these two legislative measures were not isolated or coincidental policy initiatives. Rather, they represent integral and interconnected components of a larger, coherent political project fundamentally aimed at redefining the concepts of Indian citizenship and territoriality along explicitly ethno-religious lines, consistent with the ideological framework of Hindutva nationalism (Jaffrelot, 2021). A rigorous analysis of the legal texts, parliamentary discourse, government justifications, and public rhetoric reveals a sophisticated and coordinated strategy designed to construct an exclusive narrative of national identity that privileges the majority Hindu community while systematically marginalizing the largest religious minority, India's Muslim population.

The ideological underpinnings of this coordinated project can be traced to the historical trajectory of Hindutva ideology, which emerged as a conscious political movement in the early twentieth century with the explicit objective of redefining Indian national identity around Hindu cultural and religious symbolism. The Bharatiya Janata Party, as the primary political vehicle for Hindutva ideology in contemporary India, presented these policies as central planks in its 2019 electoral manifesto, thereby establishing a direct connection between the party's ideological commitments and subsequent legislative action following its overwhelming electoral victory. The temporal proximity of these two major policy initiatives within a single calendar year, combined with their ideological alignment and shared political origins, suggests a deliberate sequencing rather than happenstance. The revocation of Article 370 in August 2019 was followed by the passage of the CAA in December of the same year, constituting a legislative crescendo that translated electoral victory into constitutional transformation (Chatterji et al., 2019).

Empirical analysis of official government discourse reveals a consistent pattern in which policy justifications employ binary distinctions between Hindu citizens and Muslim minorities.

Review of parliamentary debates and public statements demonstrates the use of specific terminology, with “refugees” applied primarily to non-Muslim religious minorities from Pakistan, Afghanistan, and Bangladesh, who are characterized as victims seeking protection in India. In contrast, the term “infiltrators” is frequently used to refer to Muslim immigrants, particularly those from Bangladesh, framing them as potential security and economic threats. Parliamentary records, including statements by Home Minister Amit Shah, substantiate this distinction. Government messaging predominantly presents non-Muslim minorities as eligible for compassion and legal status, while Muslim groups are more often associated with narratives emphasizing surveillance and risk management. This discursive strategy aligns with patterns identified in contemporary Indian political rhetoric and is documented in both legislative proceedings and media analyses ([Press Information Bureau, 2019](#)).

Critical discourse analysis reveals how this rhetoric echoes and reproduces historical sentiments articulated by foundational Hindutva ideologues. M.S. Golwalkar, a central intellectual figure in Hindutva political thought, notoriously portrayed Muslims as a group possessed of inherently questionable loyalties, characterizing them as having joined the enemy camp and looked to foreign lands as their sanctum., frequently employing dog-whistle politics to achieve similar effects through ostensibly neutral language. Analysis of contemporary government discourse reveals frequent references to security, demographic change, and national integration in policy justification. Review of official communications and legislative records indicates that these rationales are consistently accompanied by distinctions based on religious identity categories. Studies of policy language demonstrate that terms typically presented as neutral are used in ways that correspond with exclusionary outcomes for particular minority groups. Empirical evidence from parliamentary debates and media coverage shows that this approach enables the government to advance exclusionary policy objectives while minimizing explicit statements of discriminatory intent, supporting findings on the use of strategic political communication in recent policy developments ([Chatterji et al., 2019](#); [Jaffrelot, 2021](#)).

The legal structures undergirding both the CAA and the Article 370 revocation demonstrate an underlying and consistent ethno-religious logic that operates across both policies despite their superficially distinct legal mechanics. The CAA of 2019 represents an unprecedented moment in independent India's constitutional history by explicitly introducing religion as a formal criterion for naturalization and the acquisition of citizenship rights. Prior to this legislation, Indian citizenship law maintained formal religious neutrality, determining citizenship status through residence, birth, descent, or naturalization without reference to religious identity. The CAA fundamentally breaches this historical precedent by designating six specific non-Muslim religious groups from three neighboring Muslim-majority nations as eligible for an accelerated citizenship pathway. The legislation encompasses Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians fleeing alleged religious persecution in Pakistan, Afghanistan, and Bangladesh. Conspicuously and deliberately, Muslims are entirely excluded from this expedited pathway regardless of whether they may have experienced religious persecution in these same countries ([Government of India, 2019](#)).

This exclusion generated immediate constitutional controversy centered on Article 14 of the Indian Constitution, which guarantees equality before the law as a fundamental right applicable to all persons. Legal scholars and constitutional experts widely argued that the CAA's explicit religious exclusion constitutes prima facie violation of this fundamental constitutional guarantee. The government's justification for this religious discrimination rests on the assertion that Muslims do not face religious persecution in Muslim-majority neighboring countries and therefore do not require protection under this legislation. This argument fails upon examination of empirical reality. Extensive documentation exists regarding systematic persecution of minority Muslim sects within Pakistan and Afghanistan. The Ahmadiyya community in Pakistan faces legal persecution enshrined in Pakistan's constitutional and statutory law, which explicitly declares Ahmadis non-Muslim and subjects them to severe legal disabilities. Similarly, the Hazara Shia Muslim community in Afghanistan has experienced sustained and severe persecution, including targeted

assassinations and bombings, by Sunni extremist groups such as the Islamic State. By deliberately excluding these profoundly persecuted Muslim minorities while including non-Muslim groups, the CAA reveals its fundamentally discriminatory intent (G. Bhatia, 2020).

The revocation of Article 370 in Jammu and Kashmir involved an equally legally problematic though differently structured governmental maneuver. Article 370 had provided special constitutional status to Jammu and Kashmir since India's independence, guaranteeing the state a degree of autonomy and legislative power that distinguished it from India's other federal units. This special status arose from the historical circumstances of Kashmir's accession to India and reflected the state's Muslim-majority demographic composition. The government's revocation of this provision through Presidential Orders C.O. 272 and C.O. 273 involved procedurally questionable constitutional maneuvers that generated significant legal controversy. The government initially invoked Presidential Order C.O. 272 to amend Article 367, which serves as the Constitution's interpretation clause, thereby fundamentally altering the legal meaning and applicability of Article 370 (Supreme Court Obse, 2023). Through this maneuver, the government reinterpreted the constitutional reference to Constituent Assembly of the state, a legislative body that had been dissolved in 1957, to mean Legislative Assembly. Since Jammu and Kashmir was placed under President's Rule at the time the orders were issued, the Indian Parliament was technically functioning as the state's Legislative Assembly. This procedural technicality effectively allowed the central government to grant legal concurrence to itself to invalidate Article 370, an action that legal scholars have characterized as fundamentally violating constitutional supremacy and the principles of federalism (Bhattamishra, 2023).

Despite these distinct legal and procedural mechanisms, both the CAA and Article 370 revocation represent interconnected facets of a cohesive and comprehensive political strategy. This strategy leverages legal instruments, constitutional procedures, and parliamentary mechanisms to accomplish predetermined ideological goals rooted in ethno-religious nationalism. Both policies function to fundamentally alter the status and rights of India's Muslim population at multiple levels and scales. Examination of the coordinating timeline shared ideological underpinnings, and mutually reinforcing public justifications for these two acts reveals an integrated political project rather than disparate policy choices. The temporal sequence from Article 370's revocation in August 2019 to the CAA's passage in December 2019 reflects deliberate strategic planning and execution. Both policies occupied prominent positions within the BJP's 2019 election manifesto, indicating a clear political mandate and direct continuity between campaign rhetoric and subsequent legislative implementation (Jaffrelot, 2021). This pattern reflects consistent alignment with the long-standing ideological objectives of the Sangh Parivar, the broader ideological network encompassing the BJP and allied Hindutva organizations, which has historically advocated for Article 370's revocation and a fundamental reconstitution of India's national demographics and political community.

The government strategically deployed divergent yet uniformly positive public narratives to justify these policies, a discursive tactic that functioned to obscure their shared exclusionary objectives. The revocation of Article 370, which effectively stripped constitutional autonomy from India's only Muslim-majority state, was formally justified as a necessary measure for promoting development, fostering national integration, and eradicating terrorism in the Kashmir Valley. Conversely, the CAA was officially presented as a humanitarian gesture intended to provide protection and sanctuary for religious minorities fleeing persecution in neighboring states. However, critical analysis grounded in the legal texts, underlying ideological discourses, and demonstrable policy impacts reveals these narratives to function primarily as an ideological smokescreen masking a coherent majoritarian political project. The empirical evidence emerging from post-revocation Kashmir directly contradicts official claims regarding development and democratization. A five-month communications blackout following the revocation prevented residents from accessing news, conducting commerce, or engaging in political communication. Widespread political detention of approximately four thousand individuals, including elected representatives, community leaders, and journalists, proceeded under the public safety provisions of

Kashmir's laws of arrest (Bhattamishra, 2023; Bose, 2021). These measures recall colonial-era suppression tactics and fundamentally undermine claims regarding democratic development or administrative efficiency.

Constitutional Implications and the Erosion of Secular Democracy's Foundations

The convergence of the CAA and the revocation of Article 370 represent a profound constitutional crisis that extends far beyond the immediate policy impacts on Muslim minority communities. These legislative and constitutional actions collectively signal a transformative assault on the fundamental constitutional principles and structural features that have defined the Indian republic since independence. The core constitutional doctrine of Indian constitutionalism, established through decades of judicial interpretation and explicitly reaffirmed in the landmark *Kesavananda Bharati* decision of 1973, posits that Parliament's constituent authority to amend the Constitution is not unlimited. The Basic Structure Doctrine holds that certain constitutional features possess such fundamental importance to the constitutional design that they cannot be altered through the amendment process, regardless of parliamentary majorities (Choudhry et al., 2009). Among these allegedly unalterable features, secularism occupies a position of particular significance.

Secularism, as understood and implemented within the Indian constitutional framework, differs substantially from Western conceptions of secular governance that emphasize strict separation between religious institutions and state functions. Indian constitutional secularism, rather, reflects what scholars have termed a doctrine of principled distance or celebratory neutrality, wherein the state maintains equal distance from all religious communities while simultaneously engaging with them to ensure minority rights protections and substantive equality. This distinctive constitutional secularism emerged from India's profound religious diversity, encompassing not merely religious minorities but also various schools and sects within major religions, caste-based divisions within religious communities, and historically oppressed religious minorities. The constitutional commitment to secularism functions as a guarantee that state power will not be deployed to advantage any single religious community at the expense of others, thereby protecting the political equality of all citizens regardless of religious affiliation (Chandrachud, 2020).

The CAA's introduction of explicit religious criteria into citizenship determination strikes at the heart of this foundational constitutional commitment. For the first time in Indian constitutional history, the state formally privileges citizenship acquisition based on religious identity, explicitly excluding a major religion while accelerating pathways for other religions. This departure from religious neutrality in citizenship law represents a direct challenge to the Basic Structure Doctrine's protection of secularism as an unalterable constitutional feature. Legal study recognizes that while Parliament may possess formal amendment power, the exercise of such power to fundamentally alter the constitutional character from secular pluralism toward religious majoritarianism would violate the constitutional structure's protected features. Chief Justice D.Y. Chandrachud has explicitly articulated that secularism functions as one of the Constitution's unalterable north stars, guiding constitutional interpretation and limiting parliamentary power (Choudhry et al., 2009). The CAA's codification of religious criteria in citizenship law therefore represents a direct institutional challenge to this foundational constitutional principle.

The implications of this constitutional transformation extend beyond abstract legal doctrine to affect fundamental rights protections for India's vulnerable populations. The legal architecture combining the CAA with the proposed the NRC mechanism creates a systemic and institutionalized vulnerability to statelessness that uniquely and disproportionately targets India's Muslim population. The NRC process, initially implemented in Assam as a state-level initiative before being proposed for nationwide implementation, requires individuals to provide documentary evidence of Indian citizenship and prove continuous residence since a specified baseline date. The evidentiary burdens placed on individuals far exceed standard legal requirements, demanding production of government-issued documentation that proves lineage, residence, and citizenship

status across multiple generations. In the context of India's documented administrative deficiencies, wherein approximately forty percent of rural Indians lack birth certificates and documentary systems remain inconsistent and unreliable, these requirements create insurmountable obstacles for vulnerable populations, particularly the poor, rural residents, and marginalized communities (Bhat, 2024).

When viewed in isolation, the NRC process affects all vulnerable communities lacking adequate documentation. However, when integrated with the CAA framework, the legal architecture produces explicitly discriminatory consequences targeting Muslims. The combined framework functions through a mechanism of differential protection that establishes religion as the decisive factor determining legal status. Non-Muslims who cannot satisfy the rigorous evidentiary demands of the NRC process possess an available legal safety net through the CAA, which allows them to claim refugee status and access an expedited citizenship pathway. These individuals benefit from governmental recognition of religious persecution and receive protective legal status through a seemingly humanitarian mechanism. In contrast, Muslims facing identical documentary deficits encounter no such protective mechanism. The state recognizes no religious persecution that would qualify them for the CAA's protective provisions, regardless of whether such persecution demonstrably exists. Muslims thus remain vulnerable to declaration as stateless within their own country of birth, exposure to indefinite detention, and potential deportation to countries with which they possess no meaningful connection (Bhat, 2024; Sebastian, 2023; Sodhi, 2025). This disparate framework confirms that statelessness risk for Muslims constitutes not an accidental byproduct of bureaucratic inefficiency but rather the logically designed and intended outcome of the combined CAA-NRC legal architecture. The risk of statelessness therefore functions as a potent political instrument for marginalization, disenfranchisement, and political control.

The socio-political consequences of these policies extend throughout Indian society and particularly impact communities in Kashmir and other Muslim-majority or Muslim-plurality regions. The revocation of Article 370 represented far more than a technical administrative reorganization, despite official characterizations in these terms. Rather, the action constituted the systematic dismantlement of the collective right to political autonomy and self-governance previously guaranteed to Kashmir's majority Muslim community through constitutional protections spanning more than seven decades. Beyond Article 370, the revocation simultaneously nullified Article 35A, which had restricted property ownership and governmental employment in Kashmir to permanent residents of the state, thereby protecting the region's demographic composition and cultural identity from external economic pressure. The comprehensive revocation of both provisions fundamentally reconfigured the relationship between Kashmir and the Indian political union, transforming it from a relationship grounded in constitutional agreement and negotiated autonomy to one structured around direct administrative subjugation and centralized control (Bose, 2021).

The implementation of these policies proceeded through mechanisms that fundamentally restricted democratic rights and political participation. Following the revocation, Kashmir experienced a sustained communications blackout lasting more than five months, during which residents encountered complete restrictions on internet access, landline telephone service, and mobile telephone communications. This comprehensive isolation prevented residents from communicating with family members outside the region, accessing medical information, conducting essential commerce, or engaging in any form of political communication or coordination. Approximately four thousand individuals, including elected political representatives, community leaders, journalists, and activists, were subject to mass detention under preventive detention laws, often without transparent legal procedures or timely notification to families. International human rights organizations documented allegations of torture, enforced disappearances, and extrajudicial killings occurring within the detention infrastructure (Bose, 2021). These enforcement mechanisms parallel colonial-era suppression tactics historically deployed to eliminate political opposition and control populations deemed threatening to imperial authorities.

The impact of these policies on vulnerable populations extended across multiple dimensions of social, political, and economic life. Access to education deteriorated as schools remained closed throughout the extended lockdown period, disrupting education for hundreds of thousands of students. Healthcare systems faced collapse as the communications blackout prevented patients from accessing medical services and prevented ambulances from locating emergency facilities. Economic devastation accompanied the political repression, as merchants could not conduct commerce, agricultural producers could not access markets, and workers lost employment and income during the prolonged shutdown. The impact on women in Kashmir reflected patterns typical of militarized conflict zones, with increased domestic violence during lockdown periods and sexual assault allegations against security personnel occurring in documented instances. These patterns indicate that the socio-political consequences of the policies extend far beyond the intended targets to create widespread social damage across Kashmir's population (A. Bhatia, 2025; Bose, 2021).

The state's official narratives regarding these policies, broadcast through government media and articulated by official spokespersons, directly contradicted observable reality and empirical evidence. Government officials repeatedly invoked claims regarding development, integration, and terrorism eradication as justifications for Article 370's revocation, yet the post-revocation period witnessed comprehensive destruction of economic activity, educational services, and healthcare provision through state-imposed communications restrictions. Analysis of the CAA's provisions reveals that its humanitarian justification is contradicted by the exclusion of persecuted Muslim minorities, such as the Rohingya in Myanmar and the Ahmadiyya in Pakistan, who have faced documented violence and legal discrimination. Empirical assessments indicate that the law's selective inclusion criteria have resulted in outcomes that prioritize specific religious groups. This pattern suggests that humanitarian narratives accompanying the CAA primarily facilitate political support among majority Hindu populations, as evidenced by discrepancies between official policy rationales and the tangible effects observed. Data on public discourse and legislative debates further demonstrate that these narratives do not consistently align with the broader policy impacts on vulnerable minorities.

International Human Rights Implications and Documented Rights Violations

The domestic policy trajectory encompassing the CAA and Article 370 revocation has generated extensive documentation of human rights violations by international human rights organizations, United Nations bodies, and independent legal scholars. These violations span the breadth of human rights protections articulated in international legal instruments including the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination, and related international humanitarian law provisions. The systematic documentation of rights violations establishes patterns of governmental conduct that extend beyond isolated incidents to constitute potentially systematic abuses.

Protests erupting against the CAA initiated in late 2019 and continuing into 2020 faced excessive and disproportionate state violence. Government security forces deployed live ammunition against unarmed civilians participating in peaceful protest activities, resulting in more than fifty documented deaths, the overwhelming majority of whom were Muslim protesters. Thousands of individuals were arrested and subjected to prosecution under anti-terrorism statutes such as the Unlawful Activities Prevention Act, which imposes stringent penalties and severe evidentiary burdens on defendants. These prosecutorial practices violated established principles of proportionality, as anti-terrorism legal frameworks are designed for prosecuting individuals engaged in organized violence but were deployed against peaceful political protesters exercising fundamental rights of expression and assembly. Such applications constitute violations of Article 19 of the International Covenant on Civil and Political Rights, which protects freedom of expression, and Article 21, which protects freedom of peaceful assembly (Sari & Alaslan, 2023).

The revocation of Article 370 in Kashmir immediately preceded and was followed by the imposition of comprehensive security measures that violated multiple categories of fundamental rights. The sustained communications blackout deprived residents of access to information about developments in their own region, violations of Article 19 of the International Covenant on Civil and Political Rights guaranteeing freedom to seek and receive information. The mass detention of political leaders, journalists, and activists proceeded under administrative detention provisions that provided minimal legal procedures, transparency, or accountability, violating Article 9 of the Universal Declaration of Human Rights prohibiting arbitrary arrest and Article 9 of the International Covenant on Civil and Political Rights establishing similar protections (Tang & Spijkers, 2022). Documented cases included detention of individuals without formal charges, denial of access to legal counsel, and prolonged incommunicado detention during which families received no information regarding detainees' whereabouts or condition (Akhtar, 2022).

The documented use of force by security personnel in Kashmir, including pellet-gun injuries to civilians and reported extrajudicial killings, has particularly impacted women and children in a pattern consistent with gendered dimensions of armed conflict. Women encountered sexual assault allegations against security personnel during enforcement operations and increased domestic violence during lockdown periods when women remained confined within homes alongside perpetrators of abuse. These gendered impacts constitute violations of the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, international instruments to which India is a signatory state (Butt & Najar, 2024). The deliberate targeting and particular vulnerability of marginalized populations within Kashmir, including religious minorities, persons with disabilities, and economically disadvantaged communities, indicates discriminatory application of enforcement mechanisms in violation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) (Akhtar, 2022).

The economic dimensions of these policies have disrupted access to economic, social, and cultural rights protected under the International Covenant on Economic, Social and Cultural Rights. The communications blackout prevented economic activity, resulting in income loss for workers, merchants, and producers throughout Kashmir. Land-use policies implemented following the revocation have facilitated displacement of Kashmiri residents and transfer of property rights to external interests, undermining protection of property rights and economic autonomy (ICESCR Article 17). The restriction on educational access during the extended lockdown period disrupted rights to education protected under ICESCR Article 13, with particular consequences for children from economically disadvantaged backgrounds unable to access alternative educational opportunities during school closures (Tang & Spijkers, 2022).

The categorical exclusion of persecuted Muslim minorities from CAA protection, when non-Muslim minorities receive explicit protection despite often facing less severe persecution, creates discriminatory treatment in violation of the principle of non-discrimination. The Rohingya population fleeing Myanmar faces genocide-level violence and persecution yet receives no protection under the CAA framework. The Ahmadiyya in Pakistan face constitutional prohibition on their religious practice, legal designation as non-Muslim despite self-identification as Muslim, and systematic legal disabilities, yet are explicitly excluded from CAA protection (Akhtar, 2022). This selective humanitarianism reveals that humanitarian justifications function as rhetorical cover for discrimination based on religious identity.

Diplomatic Dynamics and the Fragmentation of Islamic World Response

The ramifications of India's citizenship and territorial policies extended beyond India's domestic jurisdiction to generate complex and multifaceted responses from Middle Eastern nations and Islamic multilateral organizations. The Islamic world's response to these policies operated at two distinct and often contradictory levels, reflecting the interplay of religious affinity, economic interdependence, and geopolitical calculations that characterize contemporary international

relations. This bifurcated response pattern illuminates fundamental tensions within the Islamic world between normative commitments to Muslim solidarity and pragmatic national interest calculations that increasingly prioritize economic and strategic engagement over religious affinity.

The Organization of Islamic Cooperation, serving as the primary multilateral institutional forum representing Muslim-majority states in international diplomacy, issued formal responses to both the CAA and the Article 370 revocation that reflected careful diplomatic calibration. The General Secretariat of the OIC, headquartered in Jeddah and reflecting the geopolitical weight of Saudi Arabia and the United Arab Emirates within the organization, issued a statement regarding the CAA expressing formal concern about the legislation and its potential implications for Muslim communities in India. The deliberate selection of the term concern represents a calculated diplomatic choice that communicates disapproval while stopping short of direct condemnation or calls for multilateral sanctions or enforcement action. This linguistic calibration indicates diplomatic sensitivity to the interests of influential OIC member states, particularly Saudi Arabia and the UAE, which maintain powerful strategic and economic partnerships with India ([Organisation of Islamic Cooperation, 2025](#); [The Hindu, 2019](#)).

The OIC's response to the Article 370 revocation employed notably stronger and more explicit language while maintaining fundamental ambiguity regarding practical consequences or enforcement mechanisms. On August 31, 2019, the General Secretariat issued a statement reaffirming United Nations Security Council resolutions regarding Jammu and Kashmir's disputed international status and emphasized the necessity for resolution through a United Nations-supervised plebiscite reflecting the will of Kashmir's population. This statement, grounded in decades of OIC resolutions on the Kashmir question, carried greater specificity and legal precision than the CAA response, reflecting the deeper institutional investment in the Kashmir issue within Islamic multilateral organizations. The statement included explicit demands for immediate lifting of the communications blackout, restoration of telephone and internet services, and respect for fundamental rights of Kashmir's population. These demands, while clearly articulated, lacked enforcement mechanisms or credible threats of multilateral action, rendering them primarily symbolic affirmations of normative positions ([Haidar, 2019](#); [Organisation of Islamic Cooperation, 2025](#)).

The OIC Contact Group on Kashmir, comprising Saudi Arabia, Pakistan, Azerbaijan, Turkey, and Niger, convened a ministerial-level meeting during the United Nations General Assembly in September 2019 to coordinate response to the Article 370 revocation. During this high-level meeting, the Contact Group articulated demands for India to revoke its measures affecting Kashmir, cease human rights violations, and withdraw its substantial military presence from the region ([Haidar, 2019](#)). The specificity of these demands and the ministerial-level engagement indicated institutional commitment to the Kashmir cause within the OIC framework, particularly from Pakistan and Turkey, nations with long historical investment in Kashmir and regional strategic interests. However, the practical impact of these OIC articulations remained negligible, as India consistently rejected the OIC's claim to legitimate interest in India's internal constitutional matters ([The Wire Staff, 2025](#)).

India's diplomatic response to OIC statements consistently employed arguments regarding national sovereignty and constitutional supremacy, characterizing OIC interventions as illegitimate interference in internal affairs. The Indian government framed responses to international human rights documentation and OIC statements as attempts by hostile actors, particularly Pakistan, to weaponize international forums for geopolitical purposes. This characterization resonated powerfully within India's domestic political space, where nationalist rhetoric emphasizing sovereignty and resistance to external interference commands significant political support. India's longstanding policy of treating Kashmir as a bilateral issue between India and Pakistan, or alternately as an entirely internal constitutional matter, provided explicit grounds for rejecting OIC engagement while maintaining legal consistency ([Singh, 2019](#)).

More significantly, the practical leverage of OIC positions proved minimal due to the contradictory conduct of the organization's most powerful member states. While the OIC General Secretariat issued formal statements of concern and the Contact Group convened ministerial meetings, the organization's most influential members pursued policies that directly undermined these official positions. Saudi Arabia and the United Arab Emirates, possessing the preponderant economic and geopolitical weight within the OIC and hosting the organization's headquarters in Saudi territory, simultaneously deepened their strategic partnerships with India. This paradox, wherein formal organizational statements expressed concern while the member states driving organizational policy strengthened bilateral engagement with the criticized state, exposed fundamental structural weaknesses within Islamic multilateral organizations and reflected the prioritization of pragmatic bilateral interests over pan-Islamic solidarity (Kumar, 2023).

The pragmatic approach embraced by Gulf Cooperation Council states became explicitly articulated through official diplomatic statements emanating from the United Arab Emirates. Following the Article 370 revocation, the UAE Ambassador to India, Dr. Ahmad Al Banna, issued a public statement characterizing the decision as an internal constitutional matter reflecting India's sovereign prerogative. The Ambassador framed the reorganization of Kashmir's administrative status as consistent with India's constitutional powers and as reflecting efforts to reduce regional disparities and enhance administrative efficiency, thereby explicitly endorsing the Indian government's official narrative. This statement from a prominent Islamic nation and key OIC member state effectively fragmented any potential unified Islamic response to the Kashmir issue and undermined Pakistan's diplomatic efforts to internationalize the Kashmir question (Singh, 2019; Swarajya Staff, 2019). Saudi Arabia, while less publicly vocal than the UAE, adopted a de facto non-interventionist stance in practice, prioritizing bilateral economic engagement with India over public criticism of Indian policies affecting Muslim populations.

The bifurcation between formal OIC positions and the pragmatic bilateral policies of powerful Gulf states reflects broader structural realities characterizing contemporary international relations. The Gulf Cooperation Council states have developed multifaceted relationships with India encompassing military cooperation, counterterrorism coordination, energy markets, technology transfer, and massive Indian diaspora populations providing crucial labor for Gulf economic development. Saudi Arabia and the UAE have deepened defense partnerships with India, purchased substantial quantities of Indian military equipment, and coordinated security arrangements addressing regional threats. These multidimensional strategic relationships carry sufficient value to both parties that neither Saudi Arabia nor the UAE is willing to risk comprehensive relationship disruption in support of abstract pan-Islamic solidarity. The Indian diaspora in Gulf states, numbering in the millions and comprising both highly skilled professionals and essential labor force participants, constitutes a substantial economic contribution to Gulf development while simultaneously maintaining strong emotional and financial ties to India. These diaspora networks complicate any unified Islamic response that might alienate India and threaten Indian participation in Gulf economic development (Kumar, 2023).

This phenomenon of diplomatic decoupling, wherein multilateral Islamic institutions maintain formal criticism while powerful member states pursue bilateral pragmatism, reflects deepening fractures within the Islamic world regarding the relative importance of religious affinity versus strategic interest calculations. Scholarly analysis of India's international relations under the Modi government documents India's unprecedented success in maintaining and deepening strategic partnerships with Gulf states despite internal policies generating international human rights criticism. This diplomatic success emerges from India's positioning as a crucial counterbalance to Iranian influence in the Gulf, its provision of advanced military technologies, its participation in counterterrorism operations coordinated with Gulf security establishments, and its role as an essential component of regional security architecture (Kumar, 2023). These geopolitical realities have created structural incentives for Gulf states to maintain practical engagement with India regardless of domestic human rights practices affecting Muslim populations.

The divergent responses of different Islamic nations provide instructive contrast illuminating the tensions between religious affinity and strategic interest. Kuwait, Qatar, and Iran, possessing either weaker strategic ties with India or stronger historical commitments to Palestinian solidarity and opposition to Hindu nationalist ideology, issued more explicit criticisms of the CAA and Article 370 policies. These nations, less integrated into bilateral partnerships with India and less constrained by economic dependencies, possessed greater freedom to articulate opposition to policies affecting Islamic concerns. Empirical evidence indicates that Saudi Arabia, the UAE, and other Gulf states, which maintain extensive partnerships and strategic investments with India, have prioritized bilateral economic and security interests over pan-Islamic concerns in their responses to India's domestic policies. Data on diplomatic engagements and official statements show that these countries' reactions to India's citizenship reforms have been characterized by restraint and a focus on preserving bilateral cooperation. This pattern suggests that international responses from Islamic nations are informed more by their geopolitical alignments and economic interests than by religious solidarity or humanitarian considerations for Muslim minorities (Korompot, 2025; Kumar, 2023). The phenomenon of diplomatic decoupling thus represents not a failure of Islamic solidarity in some abstract sense but rather the inevitable outcome of global systems wherein economic integration and strategic partnership increasingly supersede ideological and religious affinities as determinants of state behavior.

The phenomenon of diplomatic decoupling, wherein Gulf Cooperation Council (GCC) states have maintained strategic partnerships with India despite New Delhi's domestic policies targeting Muslim minorities, can be understood through rigorous analysis of bilateral trade data. This economic interdependence creates structural incentives that outweigh pan-Islamic solidarity considerations in shaping Gulf states' foreign policy calculations. India's total trade volume with Gulf countries increased substantially from USD 99.35 billion in 2020 to USD 201.84 billion in 2024, representing a growth of 103.2% over four years. During the same period, India's exports to the region increased from USD 29.7 billion to USD 60.1 billion, while imports grew from USD 69.7 billion to USD 141.7 billion (Ministry of Commerce and Industry, 2025). This intensifying economic relationship creates a structural interdependence that fundamentally shapes GCC states' diplomatic calculations regarding India's domestic policies.

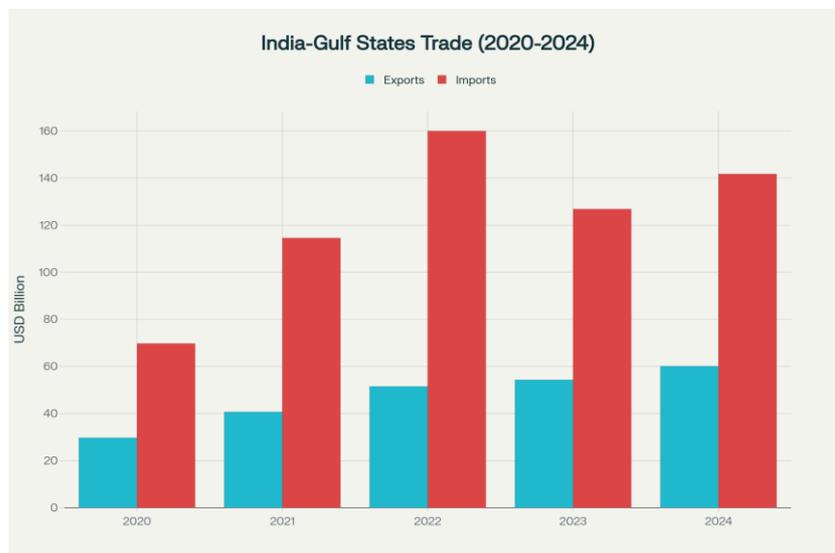


Figure 1. India's Bilateral Trade with Gulf Countries 2020-2024 (USD Billion)

The geographical concentration of this trade reveals the strategic priorities of Gulf states. The United Arab Emirates and Saudi Arabia collectively dominate bilateral commerce, controlling 83.3% of India's total exports to the Gulf and 64.7% of total imports. The UAE alone absorbs 62.9% of India's total Gulf exports (USD 37.8 billion in 2024) and accounts for 43.0% of India's

total Gulf imports (USD 61.0 billion). Saudi Arabia occupies the second position with a 20.4% share of exports (USD 12.3 billion) and 21.7% of imports (USD 30.8 billion) (Ministry of Commerce and Industry, 2025). This extreme concentration of trade explains why the UAE and Saudi Arabia's response to the CAA and the revocation of Article 370 differs substantively from the Organization of Islamic Cooperation's official statements; massive bilateral economic interests create structural incentives to maintain pragmatic relationships with India despite normative pan-Islamist considerations.

The commodity structure of bilateral trade further substantiates the primacy of economic pragmatism over religious solidarity. India's imports from Gulf countries are predominantly energy products and mineral fuels, reaching USD 92.5 billion or 65.3% of total imports in 2024. This energy dependence creates strategic interests that neither India nor Gulf states can afford to compromise. India's import basket demonstrates this concentration vividly: Iraq serves as one of the largest suppliers of mineral fuels to India with an import value of USD 18.5 billion by 2025, while Qatar maintains its position as a major exporter of mineral fuels and liquefied natural gas with transaction values of USD 7.8 billion in the same period (Ministry of Commerce and Industry, 2025).

Conversely, India's exports to the Gulf region encompass a diversified spectrum of commodities that are essential to Gulf states' economic diversification strategies. Mineral fuels and refined petroleum products constitute India's largest export category at USD 11.3 billion, followed by jewelry and precious stones at USD 7.8 billion, machinery and electrical equipment at USD 4.8 billion, aircraft and aerospace components at USD 3.4 billion, and cereals and agricultural products at USD 3.3 billion (Ministry of Commerce and Industry, 2025). This commodity structure reveals an intricate pattern of economic complementarity: Gulf states require industrial capital goods and processed commodities to support their non-oil development strategies, while India depends critically on reliable hydrocarbon supplies to sustain its energy-intensive industrialization.

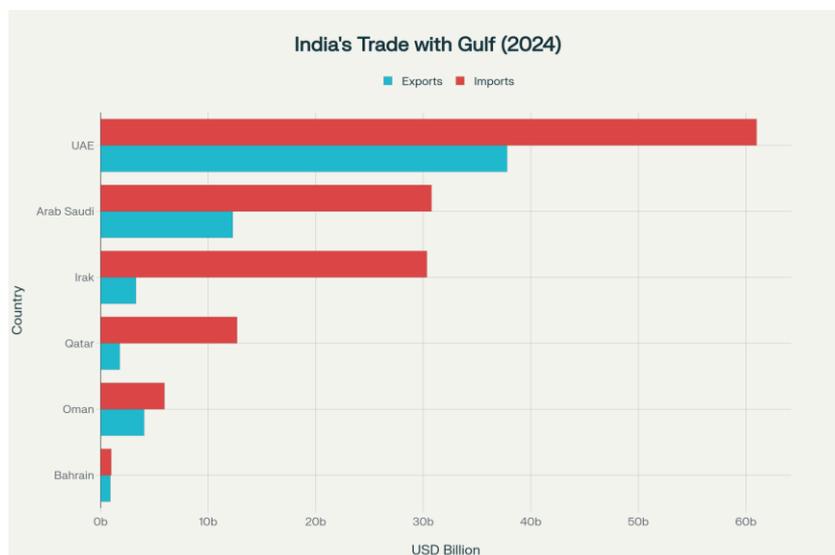


Figure 2. India's Trade with Each of the Gulf Countries by 2024 (USD Billion)

India has consistently experienced substantial trade deficits with Gulf countries, increasing from USD 40.0 billion in 2020 to a peak of USD 108.4 billion in 2022, before moderating to USD 81.6 billion in 2024 (Ministry of Commerce and Industry, 2025). This persistent deficit, primarily attributable to high energy imports, creates an asymmetry that theoretically should provide Gulf states leverage to pressure India on human rights issues. However, rather than leveraging this economic advantage to criticize India's policies affecting Muslim minorities, countries such as the UAE and Saudi Arabia have deliberately chosen to prioritize bilateral trade stability. This strategic choice reflects a calculated assessment that maintaining economic ties with India serves their

national interests more effectively than advocating for minority rights in Kashmir or protesting exclusionary citizenship policies.

Saudi Arabia exemplifies this pragmatic reorientation. Despite its rhetorical leadership role within the Islamic world through the Organization of Islamic Cooperation, Saudi Arabia continues to import substantial volumes of capital goods essential to its Vision 2030 diversification agenda. Data indicates that by 2025, Indian exports of nuclear reactors, boilers, and mechanical equipment to Saudi Arabia reached USD 681 million, while vehicle and spare parts exports touched USD 1.1 billion ([Ministry of Commerce and Industry, 2025](#)). These figures demonstrate that Saudi Arabia's infrastructure development and industrial transformation require steady supplies of technology and materials from India, creating powerful structural incentives to compartmentalize human rights concerns from development priorities.

The UAE exemplifies an even more pronounced pattern of prioritizing economic interdependence over pan-Islamic solidarity. The UAE's export value of vital commodities to India continues to increase significantly, with mineral fuels and oil distillation products reaching USD 4.53 billion by 2025, while exports of pearls and precious stones exceeded USD 6.37 billion in the same period ([Ministry of Commerce and Industry, 2025](#)). This substantial volume of high-value commodity exchange demonstrates that energy dependence and industrial supply chains dominate the bilateral agenda far more substantially than religious sentiment or normative concerns regarding minority rights.

These empirical patterns provide robust validation of the Neoclassical Realism theoretical framework employed in this study. Systemic pressures at the international level, including Gulf states' imperative to diversify their economies away from oil dependence, balance Iran's regional power projection, and secure reliable export markets, have been filtered through domestic political structures that prioritize economic pragmatism and regime continuity over pan-Islamic solidarity. The success of Indian diplomacy in maintaining strategic partnerships with GCC countries, despite implementing domestic policies criticized by the Islamic world, can be explained through India's ability to intelligently navigate these ideological filters by avoiding contentious religious rhetoric while simultaneously appealing to the pragmatic and systemic interests of Gulf elites.

The bilateral trade volume exceeding USD 200 billion by 2024 constitutes empirical evidence that economic integration has become the primary determinant of state behavior in this region, transcending religious affinity or ideological solidarity ([Ministry of Commerce and Industry, 2025](#)). When Gulf states face a choice between advocating for fellow Muslims facing potential marginalization in Kashmir and India's citizenship regime versus maintaining energy export markets and securing industrial imports essential to national development, their calculations consistently prioritize the latter. This empirical reality, that economic interests consistently override normative religious considerations, challenges romantic notions of Islamic solidarity and demonstrates that realist international relations theory more accurately captures the behavior of contemporary Middle Eastern states than normative or constructivist frameworks that emphasize religious identity.

The data collectively confirms the hypothesis that in GCC foreign policy calculations, pan-Islamist solidarity functions as a secondary variable easily displaced by primary variables of strategic economic interests and national energy security. This structural decoupling between normative Islamic rhetoric and pragmatic economic behavior represents a significant development in understanding contemporary Middle Eastern geopolitics and the changing nature of intra-Islamic relations in an era of economic interdependence and strategic competition.

This study advances existing study by providing a systematic analysis that bridges constitutional law and international relations in assessing the impact of India's CAA and the revocation of Article 370. Previous research has chiefly explored the normative and domestic legal implications of these policies, often treating them as discrete legislative acts affecting minority rights within India's borders. In contrast, this study demonstrates the coordinated nature of these reforms as integrated components of an ethno-religious political project, empirically linking

domestic legal changes to shifts in diplomatic behavior and international engagement, especially with Muslim-majority states. Notably, the research introduces a discourse analysis of official government communications, revealing how policy framing and strategic language reinforce the process of majoritarian identity construction. By integrating legal, discursive, and diplomatic dimensions, this study offers a novel interdisciplinary framework that clarifies the mechanisms through which constitutional reforms produce both internal exclusion and external realignment. These findings contribute new theoretical perspectives and practical policy insights that have not been systematically addressed in previous literature.

CONCLUSION

This research comprehensively demonstrates that the enactment of the CAA 2019 and the revocation of Article 370 were not merely isolated administrative policies, but rather manifestations of a coordinated political project systematically designed to reconstruct India's constitutional identity. Through critical textual and discourse analysis, the study reveals that both policies functioned as legal instruments to shift the state's paradigm from a liberal secular democracy to a majoritarian ethnocracy grounded in Hindutva ideology. Specifically, the synchronicity of the timing of the revocation of Kashmir's autonomy in August 2019 and the passage of the CAA in December 2019 suggests a deliberate legislative strategy to fulfill the BJP electoral promises, effectively challenging the Basic Structure Doctrine of the Indian constitution, particularly the principle of secularism enshrined in the Kesavananda Bharati precedent. The domestic impact of this legal transformation created a profound and structural citizenship crisis. Legal analysis shows that the CAA, by introducing a religious criterion for the first time in India's naturalization history, explicitly violates Article 14 of the Constitution, which stipulates equality before the law. When combined with the NRC discourse, this instrument creates a double filter mechanism that uniquely places Muslims at risk of statelessness, as they lack the legal safety net that the CAA provides for other religious groups. Furthermore, the government's "humanitarian" narrative contradicts the reality on the ground, where Muslim minority groups facing severe persecution in neighboring countries, such as the Rohingya and Ahmadiyya, are excluded from protection, confirming that this policy is driven more by sentiments of identity exclusion than genuine human rights concerns. In the Jammu and Kashmir region, the revocation of Article 370 has fundamentally transformed the relationship between the region and the Indian Union, from one based on negotiated constitutional autonomy to one of centralized administrative subjugation. This study documents that this forced integration process was accompanied by systematic human rights violations, including months-long communications blackouts and the preventive detention of thousands of political leaders and civil society activists, effectively stifling democratic participation in India's only Muslim-majority region. This empirical reality undermines the government's claims of development and integration and highlights how emergency law instruments can be used to curtail civil rights under the guise of national security. In the realm of international relations, this study highlights the striking phenomenon of "diplomatic decoupling" in the Muslim world's response to India's domestic policies. Although the OIC issued a normative statement of concern, analysis of bilateral trade data reveals that strategic interests have completely overridden religious solidarity. India's trade volume with the Gulf states, which has surged by 103.2% in the past four years, reaching over USD 201 billion by 2024, provides undeniable evidence that economic interdependence, particularly in the energy sector and infrastructure investment, serves as a key determinant of state behavior. This confirms the validity of the Neoclassical Realism framework, whereby international systemic pressure for economic diversification is filtered through the pragmatism of the regimes in Saudi Arabia and the United Arab Emirates, ultimately undermining the effectiveness of identity-based diplomatic pressure. This study contributes to the literature by demonstrating the limitations of international human rights mechanisms when confronted with the realpolitik interests of powerful states. These findings indicate that formal democratic procedures can be manipulated to legitimize exclusionary majoritarian goals without triggering significant international isolation, as long as the

state holds a strategic role in the global economy. Therefore, it is recommended for policymakers and the international community to not only rely on normative rhetoric but rather integrate concrete human rights protection clauses into bilateral economic cooperation agreements. For future academic agendas, this study suggests further longitudinal research on the long-term impact of contested citizenship status in South Asia, as well as broader comparative analysis of how other developing countries navigate the tensions between national sovereignty, religious identity, and global economic pressures in their foreign policies.

REFERENCES

- Acevedo, D. Das. (2013). Secularism in the Indian Context. *Law and Social Inquiry*, 38(1), 138–167. <https://doi.org/10.1111/j.1747-4469.2012.01304.x>
- Adam, M., Husa, J., & Oderkerk, M. (2017). *Comparative law methodology: Volumes I and II*. Edward Elgar. [Google](#)
- Akhtar, Z. (2022). Kashmir's Right to Self Determination: UNSC Resolutions, Human Rights Violations and Culpability under International Law. *Athens Journal of Law*, 9(1), 139–172. <https://doi.org/10.30958/ajl.9-1-7>
- Ananda, D. (2024). The intersection of Indian citizenship amendment act 2019 and religious persecution. *Discover Global Society*, 2(1). <https://doi.org/10.1007/s44282-024-00108-x>
- Bag, K. (2024). The Evolving Idea of India: From Pluralism to Religious Majoritarianism. *International Journal of Emerging Knowledge Studies*, 03(11), 971–979. <https://doi.org/10.70333/ijeks-03-11-016>
- Bhat, M. A. (2024). (Un)Credible citizen: citizenship dispossession, documents and the politics of the rule of law. *Journal of Ethnic and Migration Studies*, 50(19), 4867–4890. <https://doi.org/10.1080/1369183X.2024.2376412>
- Bhatia, A. (2025). Abrogating Article 370 and Kashmir's exceptionalism: a critical analysis of India's bodies politic. *Critical Discourse Studies*, 22(2), 167–182. <https://doi.org/10.1080/17405904.2023.2282503>
- Bhatia, G. (2020). Citizenship and the Constitution. *SSRN Electronic Journal*, *Oup 1966*. <https://doi.org/10.2139/ssrn.3565551>
- Bhattamishra, T. (2023). Abrogation of Article 370: Political Attack or Step for Holistic Democracy? *SSRN Electronic Journal*, 2343–2356. <https://doi.org/10.1000/IJLMH.116040>
- Bose, S. (2021). *Kashmir at the Crossroads*. Yale University Press. <https://doi.org/10.2307/j.ctv1zvccp4>
- Bowen, G. A. (2009). Document analysis as a qualitative research method. *Qualitative Research Journal*, 9(2), 27–40. <https://doi.org/10.3316/QRJ0902027>
- Butt, T. F., & Najar, M. A. (2024). Contesting Narratives: A Comparative Analysis of Indian, Pakistani and Kashmiri Print Media Framing of the Abrogation of Article 370. *International Journal For Multidisciplinary Research*, 6(2), 1–18. <https://doi.org/10.36948/ijfmr.2024.v06i02.16271>
- Chandrachud, A. (2020). Secularism and the Citizenship Amendment Act. *Indian Law Review*, 4(2), 138–162. <https://doi.org/10.1080/24730580.2020.1757927>
- Chatterji, A. P., Hansen, T. B., & Jaffrelot, C. (2019). Majoritarian State: How Hindu Nationalism is Changing India. In A. P. Chatterji, T. B. Hansen, & C. Jaffrelot (Eds.), *Oxford University Press* (Vol. 1, Issue 1). Oxford University Press. <https://doi.org/10.1093/oso/9780190078171.001.0001>
- Choudhry, S., Khosla, M., & Mehta, P. B. (2009). The Oxford Handbook of the Indian Constitution. In *Black and White* (pp. 280–294). Cambridge University Press. <https://doi.org/10.1017/CBO9780511693823.004>
- Government of India. (2019). *The citizenship Amendment Act. DI*. [Google](#)
- Haidar, S. (2019). Kashmir issue: Rescind action on Article 370, Organisation of Islamic Cooperation tells India. *Thehindu.Com*. [Google](#)

- Handford, M., & Gee, J. P. (2013). *The Routledge Handbook of Discourse Analysis*. Routledge. <https://doi.org/10.4324/9780203809068>
- Htun, S. Y. (2019). *Legal Aspects of the Right to Nationality Pursuant to Myanmar Citizenship Law*. 3(2), 277–299. [Google](#)
- Jaffrelot, C. (2021). Modi's India: Hindu Nationalism and the Rise of Ethnic Democracy. In *Princeton University Press*. <https://doi.org/10.2307/j.ctv1dc9jzx>
- Jones, R. H. (2024). *Discourse Analysis*. Routledge. <https://doi.org/10.4324/9781003377405>
- Korompot, M. R. A. (2025). Analisis Dampak Citizenship Amendment Act 2019 Terhadap Integrasi Negara Kawasan Timur Tengah. *Triwikrama: Jurnal Ilmu Sosial*, 9(1), 11–20. <https://doi.org/10.9963/rkxbra66>
- Kumar, S. (2023). India'S Relations With Saudi Arabia and Uae Under the Modi Government. *Malaysian Journal of International Relations*, 11(1), 1–19. <https://doi.org/10.22452/mjir.vol11no1.1>
- Ministry of Commerce and Industry. (2025). *Export import data bank: Country-wise trade statistics 2020-2025*. [Google](#)
- Morgan, H. (2022). Conducting a Qualitative Document Analysis. *Qualitative Report*, 27(1), 64–77. <https://doi.org/10.46743/2160-3715/2022.5044>
- Newbegin, E. (2011). Personal Law and Citizenship in India's Transition to Independence. *Modern Asian Studies*, 45(1), 7–32. <https://doi.org/10.1017/S0026749X10000338>
- Organisation of Islamic Cooperation. (2025). *OIC General Secretariat recalls importance of UN Security Council resolutions on Jammu and Kashmir*. Una-Oci.Org. [Google](#)
- Press Information Bureau. (2019). *Lok Sabha passes the Citizenship (Amendment) Bill 2019*. [Google](#)
- Rose, G. (1998). Neoclassical realism and theories of foreign policy. *World Politics*, 51(1), 144–172. <https://doi.org/10.1017/S0043887100007814>
- Sandal, N. A., & Fox, J. (2013). *Religion in International Relations Theory* (1st ed.). Routledge. <https://doi.org/10.4324/9780203694435>
- Sari, A. R., & Alaslan, A. (2023). Protecting Civil and Political Rights: Comparative Analysis of International Human Rights Mechanisms. *The Easta Journal Law and Human Rights*, 1(03), 176–184. <https://doi.org/10.58812/eslhr.v1i03.94>
- Schweller, R. L. (2004). A Neoclassical Realist Theory of Underbalancing. *International Security*, 29(2), 159–201. [Google](#)
- Sebastian, J. (2023). Under-inclusive laws and constitutional remedies: an exploration of the Citizenship (Amendment) Act 2019. *Indian Law Review*, 7(3), 341–362. <https://doi.org/10.1080/24730580.2023.2255478>
- Siems, M. (2022). *Comparative Law*. Cambridge University Press. <https://doi.org/10.1017/9781108892766>
- Singh, M. (2019). *UAE's Reaction to India's Abrogation of Article 370: Investments in Mind?* Claws.Co.In. [Google](#)
- Smootha, S. (2002). *The model of ethnic democracy: Israel as a Jewish and democratic state **. 8(March 1999), 475–503. [Google](#)
- Sodhi, P. P. (2025). Abrogation of Article 370 and its constitutional implications. *International Journal of Civil Law and Legal Research*, 5(2), 194–199. <https://doi.org/10.22271/civillaw.2025.v5.i2c.159>
- Supreme Court Obse. (2023). *Abrogation of Article 370 | Judgement summary*. [Google](#)
- Swarajya Staff. (2019). *UAE Supports India On Decision To Revoke Article 370 and J&K Reorganisation, Calls It An Internal Matter For India*. Swarajyamag.Com. [Google](#)
- Tang, K., & Spijkers, O. (2022). The Human Right to a Clean, Healthy and Sustainable Environment. *Chinese Journal of Environmental Law*, 6(1), 87–107. <https://doi.org/10.1163/24686042-12340078>
- The Hindu. (2019). OIC voices “concern”, flags impact of CAA. *Thehindu.Com*. [Google](#)

- The Wire Staff. (2025). *India Rejects OIC Statement on Supreme Court Upholding Article 370's Dilution*. Thewire.In. [Google](#)
- Thurmond, V. A. (2001). The Point of Triangulation. *Journal of Nursing Scholarship*, 33(3), 253–258. <https://doi.org/10.1111/j.1547-5069.2001.00253.x>
- Waltz, K. (2000). Structural Realism after the Cold War. *International Security*, 25(1), 5–41. [Google](#)