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**Indifference, impotence, and intolerance:
transnational Bangladeshis in India**

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Global Commission on International Migration

In his report on the 'Strengthening of the United Nations - an agenda for further change', UN Secretary-General Kofi Annan identified migration as a priority issue for the international community.

Wishing to provide the framework for the formulation of a coherent, comprehensive and global response to migration issues, and acting on the encouragement of the UN Secretary-General, Sweden and Switzerland, together with the governments of Brazil, Morocco, and the Philippines, decided to establish a Global Commission on International Migration (GCIM). Many additional countries subsequently supported this initiative and an open-ended Core Group of Governments established itself to support and follow the work of the Commission.

The Global Commission on International Migration was launched by the United Nations Secretary-General and a number of governments on December 9, 2003 in Geneva. It is comprised of 19 Commissioners.

The mandate of the Commission is to place the issue of international migration on the global policy agenda, to analyze gaps in current approaches to migration, to examine the inter-linkages between migration and other global issues, and to present appropriate recommendations to the Secretary-General and other stakeholders.

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Potential contributors to this series of research papers are invited to contact the GCIM Secretariat. Guidelines for authors can be found on the GCIM website.

Introduction

In January 2003, the former Deputy Indian Prime Minister Lal Krishna Advani, whose political party – the Hindu nationalist Bharatiya Janata Party (BJP) - has consistently advocated an uncompromising approach towards undocumented Bangladeshis, issued a national directive to all provinces to take “immediate steps...to identify them, locate them, and throw them out”¹. A few weeks later, security forces on the Indo-Bangladesh border came perilously close to a violent confrontation when the Indian Border Security Force (BSF) and its counterpart Bangladesh Rifles (BDR) attempted to ‘push back’ some 240 migrants across their respective territories².

Of these, some 213 persons, including 80 children, 65 women and 68 men, were nomadic ‘snake-charmers’ (entertainers who perform for a living using live snakes) from Saulchamari near Dhaka who had previously crossed into India in north Bengal but were apprehended by the BDR while trying to move back into Bangladesh³. The rest were undocumented Bangladeshi immigrants who had been living and working for some time in India, and had been deported from the capital city of New Delhi under the latest order⁴.

As on previous occasions, the tussle over the migrants at the border rapidly expanded into a full-scale diplomatic row between the two countries with India forcefully maintaining that the migrants had ‘no right to stay in India permanently’, while Bangladesh accused India of expelling Bengali-speaking Indian Muslims⁵. The latter vehemently denied the presence of undocumented Bangladeshis in India and, at the same time, refused to accept migrants without formal credentials⁶. At a press conference, a representative of the Bangladesh government observed: “how [can] you call them Bangladeshis? Are they carrying Bangladeshi passports or any other identification? There is no question of accepting them”⁷.

With both countries failing to claim the migrants, the group remained stranded on the ‘no man’s land’ between the two countries for several days without food and adequate shelter during winter⁸. Much to the chagrin of the Indian government, the situation at the border also brought its well-publicized expulsion campaign to an abrupt halt. Large numbers of deportees being sent by train to the border had to be returned to New Delhi, where local police had seized them⁹. Even the mysterious disappearance of the stranded migrants into the darkness under the cover of night nearly a week later failed to easily diffuse the

¹ See *Hindustan Times* 2003a. ‘India steps up detention of illegal Bangladeshis.’ 31 January. See also *Economic Times* 2003. ‘Advani cracks whip on illegal migrants,’ 8 January.

² See *Telegraph* 2003b. ‘Border forces push back & forth,’ 1 February.

³ *Ibid.*

⁴ See *Telegraph* 2003d. ‘States agree to identity cards, drives to flush out illegal immigrants,’ 8 January.

⁵ See *Hindu* 2003. ‘They have no right to stay here: Advani,’ 6 February and *Hindustan Times* 2003b. ‘Bangladesh tells India to stop ‘push-ins’ at border,’ 5 February.

⁶ See *Telegraph* 2003a. ‘Election heat on Bangla migrants,’ 31 January.

⁷ See Kaushik, Narendra 2003a. ‘Bangladesh turns back deported people,’ *Mid-Day*, 28 January.

⁸ See Chakrabarti, Ashis 2003 ‘A tragedy unfolds,’ *Telegraph*, 5 February.

⁹ See Pandey, Devesh 2003. ‘Setback to deportation exercise,’ *Hindu*, 7 February.

strain between the two countries¹⁰. The Indian government's claim that Bangladesh had formally accepted the migrants was strongly refuted by the latter¹¹.

This episode exemplifies the emerging contours of the dilemma of clandestine population movements between India and Bangladesh. The easy admission and continued incorporation of these migrants as *de facto* Indian citizens into many parts of this country largely due to porous borders; physical and cultural continuities between Indians and Bangladeshis; and weak bases of documentary identification have become one of the most divisive issues for Indian polity.

For researchers working on international and irregular migration processes, this begs a crucial question. If increasing irregular migration presents a significant challenge for countries in Western Europe and North America with substantial means to manage their borders, then what about developing countries which have weaker border controls; long-standing histories of population movements linked to colonialism and postcolonial nation-building processes; ethnic affinities between sending and receiving countries; and deficient systems of confirming citizenship?

The irony is that in the study of international migration processes, poor countries like India are rarely seen as receivers of undocumented migrants from other poorer countries. They are viewed instead as senders of 'asylum-seekers,' 'illegal' migrants, and professional emigrants destined for richer countries in the West. Challenging this stereotype in international migration research, this paper examines the intensification and complexity of irregular migrations in South Asia – a topic under-researched by scholars - by presenting the unusual case of Bangladeshi immigrants in India.

The article also argues that at the centre of the imbroglio of irregular migration in India are indigent migrants whose reality cannot be adequately captured with terms like 'undocumented' or 'irregular', commonly used to refer to clandestine or 'illegal' migration. Rather, they give new and somewhat disturbing meaning to the term 'transnational migrants' by belonging, in a *de facto* sense, to both countries and paradoxically, increasingly unwanted by them.

At issue, then, are the increasingly troubled relationships of these immigrants with states, nations, and citizenship in South Asia. The enduring geopolitics of the region, and hardening of the allegiances that conflate religion and nation, have in recent times crucially defined these interactions. Though large-scale repatriations of Bangladeshi immigrants have not yet taken place all over India, new and insidious forms of discrimination against these immigrants and non-migrants, who share similar cultural backgrounds such as religion and language, have definitely been entrenched. This paper demonstrates this by delineating the newly shaping features and outcomes of these transnational migrations in India and Bangladesh, especially over the last decade or so.

¹⁰ See Habib, Haroon 2003. 'Group vanishes into fog', *Hindu* 7 February 2003; *Hindustan Times* 2003c. "Illegal Bangladeshis now in Dhaka: BSF," 8 February. See also *Daily Star* 2003. 'No-man's land people 'vanish' into the blue,' 7 February and *Telegraph* 2003c. 'Minister calls, nomads go,' 7 February.

¹¹ See Chanda, Sudipta 2003. 'Dhaka takes back the stranded,' *Statesman*, 7 February.

This article draws on a variety of documentary sources - extensive newspaper coverage on this issue, a few reports by human rights groups on migrant deportations, discursive writings on the migrations and finally, other meager scholarly research on this topic. I have also used my own work with Bangladeshi migrants and other poor residents in Delhi's slums to substantiate the arguments¹².

The article is divided into five sections. The first section introduces the shifting patterns and trends of cross-border flows between India and Bangladesh. The next two sections analyze the circumstances that have shaped the nebulous identities, in terms of nationality and citizenship, of transnational Bangladeshis in India. The fourth section discusses political developments contributing to the toughening stance towards these immigrants in India. Finally, the paper exposes the practices of discrimination and exploitation endemic within the deportation exercises.

Dubious destinations

India has a long and convoluted history of migrations from across its eastern border, particularly large-scale flows associated with the formation of the independent states of India and Bangladesh in 1947 and 1971 respectively. The historical patterns have been researched, albeit there is little empirical work on more recent migrations¹³. For our purposes, it is important to note that the government of India classifies all persons who have entered India after the creation of Bangladesh as 'illegal' migrants. This means that the many varieties of flows between the two countries since then have been given the narrow label of 'illegal' migration. I disaggregate these flows in this section.

Migrations that were forged over many decades and definitely increased during periods of political upheaval and transformation have persisted even after new national boundaries were fashioned¹⁴. The postcolonial patterns of migration from Bangladesh thus mimic to a certain extent the trends established historically. Poorly demarcated borders between the two countries; cultural affinities (in terms of language and lifestyle) with selected Indian provinces like West Bengal; physical proximity; and the presence of earlier migrants have helped to reinforce these patterns. These factors probably explain why the largest numbers of immigrants are believed to exist in northeastern India, close

¹² Ramachandran, Sujata 2003. *Moving Parts: An Annotated Bibliography on International Migration from Bangladesh*, Queen's University, Kingston. See also Ramachandran, Sujata 2004. "There are many Bangladeshis in New Delhi, but...": methodological routines and fieldwork anxieties' *Population, Space, and Place* 10: 255-70; Ramachandran, Sujata 2003. 'Operation Pushback': Sangh Parivar, State, Slums and Surreptitious Bangladeshis in New Delhi,' *Economic and Political Weekly*, 38 (7): 637-647.

¹³ Chatterjee, Nilanjana 1995. 'The East Bengal refugees: a lesson in survival'. In *Kolkata: The Living City* (Volume II – Present) Sukanta Chaudhuri (ed.) New Delhi, Kolkata and Madras: Oxford University Press, pp. 70-77. See also Chakrabarti, Prafulla (1990) *Marginal Men: The Refugees and the Left Political Syndrome*. Kalyani (West Bengal): Lumiere Books.

¹⁴ Datta, Pranati 2004. 'Push-pull factors of undocumented migration from Bangladesh to West Bengal.' *Qualitative Report* 9 (2): 335-58. See also Datta, Pranati et al 2004. 'Undocumented migration from Bangladesh to West Bengal.' *Peace & Conflict* 7 (7): 16-17, and Weiner, Myron 1983 'The political demography of Assam's anti-immigrant movement.' *Population and Development Review*, 9 (2): 279-292.

to the Bangladesh border, even though this region is not as economically robust as other areas in India that are now witnessing increased inflows from Bangladesh.

Like the nomadic ‘snake charmers’ in the episode recounted in the beginning of this article, these conditions have further contributed to the thriving short-term ‘back and forth’ movement of labour close to the border in northeastern India. This process has also been classified as irregular migration because it involves spontaneous border crossings. Although the precise numbers involved cannot be given, anecdotal evidence suggests that substantial numbers of Bangladeshis cross into the Indian province of West Bengal (which shares the largest border with this country) every day to work as daily wage labour, returning routinely to their Bangladeshi villages near the border at the end of the day or after a short period¹⁵.

It is highly likely that similar temporary cross-border movements frequently occur at other points across the common border with Indian provinces such as Assam, Bihar, Arunachal Pradesh, Tripura, Mizoram, Meghalaya, Manipur, and Nagaland¹⁶. In Ranabir Samaddar’s work on Bangladeshi migrations into West Bengal province, one of his respondents describes the process succinctly: ‘for you, it is migration, for them [the migrants], the border means coming and going – *asha jawa*’¹⁷.

Transnational migration plays a noteworthy role in the informal trade of goods and commodities across the borders (deemed to be ‘smuggling’ by both countries). The sheer magnitude of this cross-border trade is staggering, exceeding the value of formal trade between the two countries. It is estimated that products worth nearly US\$2 billion entered Bangladesh in 2004 with the help of informal traders or their agents who physically transport the products across the common border¹⁸. In particular, food items traded through informal channels are vital to the Bangladesh economy, leading an Indian political observer to comment derisively that the price of beef in Bangladesh markets is contingent on the volume of cattle ‘smuggled’ from India¹⁹.

Likewise, cross-border trade through transnational migrations has a fundamental role in preserving local economies in northeastern India. This is strongly indicated in a new media report on the border fencing that is currently ongoing in the Indian province of Tripura. Local residents have complained that the fence will destroy the area’s economy, that is reliant to a very great extent on cross-border informal trade²⁰. Many impoverished residents in the border areas make a living by acting as ‘carriers’ - transporting goods to Bangladesh by carrying them in baskets on their heads.

¹⁵ Hossain, A. and Banerjee, R. 2004. ‘Daily bread breaks border: better wages bring hordes of Bangladeshis into Bengal everyday,’ *Telegraph*, 15 December.

¹⁶ Baruah, Sanjib 2005. ‘Unfriendly neighborhood,’ *Telegraph*, 8 June.

¹⁷ Samaddar, Ranabir 1999. *Marginal Nation: Transborder Migration from Bangladesh to West Bengal*. New Delhi: Sage.

¹⁸ Sobhan, Farooq 2005. ‘Indo-Bangladesh relations: the way forward,’ *Daily Star*, 5 June.

¹⁹ Pramanik, Bimal 2004. ‘Cattle smuggling across the Indo-Bangladesh border: an analysis’ *Dialogue* 6 (1). Internet resource: http://www.asthabharati.org/Dia_July04/Bimal.htm (Last accessed 24 June 2005).

²⁰ Bhaumik, Subir 2005. ‘Livelihoods on line at Indian border’ *BBC News*, 28 June. Internet resource: http://news.bbc.co.uk/2/hi/south_asia/4622317.stm (Last accessed 26 June 2005).

A fairly new study on informal trade into the Khulna and Rajshahi subdivisions of Bangladesh from border points in West Bengal reveals other interesting aspects linked to transnational migration processes²¹. Cross-border traders from both countries interviewed for this research pointed out the minimal level of risks involved in informal trading, due largely to bribes paid on a recurring basis to border security agencies and the low levels of fines imposed on confiscated goods. Much of the trade is one-sided, in that goods move from India to Bangladesh and the balance of payments is offset through remittances by Bangladeshi immigrants living in India. The informal capital markets straddling the borders is so well integrated that remittances reach various parts of Bangladesh the same day, at favorable exchange rates and with lower transaction costs compared to formal channels.

Established patterns of migration have transformed and intensified more recently. Bangladeshis are moving away from the border into relatively prosperous parts of north and northwestern India. Specifically, a steady stream of migrants is moving into affluent urban areas like New Delhi and Mumbai (formerly Bombay) where there is a constant demand for cheap labour. Here too they occupy the lowest social echelons, joining the vast ranks of the urban poor living in slums and shanties in these cities. Many Bangladeshi women work as maids or domestic servants in middle-class Indian households in these cities, while male migrants seek employment as laborers, rickshaw pullers or rag pickers who salvage re-saleable material out of garbage²².

Other Bangladeshis are moving even further, to neighboring countries like Pakistan and to the Middle East, by way of routes through India. For example, the 'rescue' of young Bangladeshi boys on their way to work unlawfully as jockeys for camel races in the Gulf countries has been a recurrent theme in the Indian media during the last decade. Similarly, there have been numerous reports of small groups of Bangladeshis, including women and children, apprehended and even killed by border security forces²³. These migrants were attempting to cross the western border of India near Punjab and Jammu & Kashmir into Pakistan. A journalist explains this process by writing that: "No number of barbed wires, fences or machine guns, it is clear, can stop the movement of the desperately poor to where they think they may find food and shelter"²⁴.

The 'migration industry'²⁵ is crucial in escalating these new transnational flows in South Asia as well as blurring the distinction between labour migration, irregular migration, and

²¹ Pohit, Sanjib and Nisha Taneja 2000 'India's informal trade with Bangladesh and Nepal: A qualitative assessment,' National Council for Applied Economic Research, New Delhi, Working Paper no. 58.

²² Koberlein, Michael 2004. *Living from Waste: Livelihoods of Actors involved in Delhi's Informal Waste Recycling Economy*, Unpublished PhD Dissertation, Ruprecht Karls University (Heidelberg, Germany). See also Anita Kumari 1997. *An Exploratory Study of the Problems of Immigrants with a Focus on Bangladeshis Living in a Delhi Slum*. Unpublished M. Phil Dissertation, Jawaharlal Nehru University (New Delhi, India).

²³ *Hindu* 2002. 'Gulf-bound Bangladeshis take perilous route', 13 December.

²⁴ Swami, Parveen 2003. 'On a dangerous journey,' *Frontline*, 5 March.

²⁵ Castles, Stephen and Mark J Miller 2003. *The Age of Migration: International Population Movements in the Modern World*. New York: Guilford Press (3rd edition).

trafficking. In this case, it involves a well-organized network of *dalals* in Bangladesh and India – ‘manpower’ agencies, recruiters, touts, brokers, ‘travel’ agents, and their employees or contacts in many Bangladeshi villages. *Dalals* find, or pretend to find, employment for migrants and facilitate movement into and through India for substantial sums of money²⁶.

In recent times, they also provide potential migrants with official Indian documents like passports and ration-cards to minimize the risks of detention as ‘illegal’ migrants at the border, during passage, or at the destination point. Compared to the Middle East, less money has to be paid to brokers for migrating to India, and the possibilities of long-term settlement are much higher. Therefore, it is not surprising that many marginal Bangladeshi families - women, children, and men – end up in different parts of this country.

The exploitative role of *dalals* in the increased trafficking of women and children within and outside South Asia has been noted. Precise figures are hard to tabulate, though estimates produced in detailed studies paint a rather disturbing picture²⁷. According to the estimates, some 300,000 and 200,000 Bangladeshi children work in brothels in India and Pakistan respectively. Between 1990 and 1992 alone, some 1,000 child trafficking cases were reported in the Bangladesh media. Each year some 4,500 women and children are trafficked to Pakistan through India. While many of them were lured with false promises of lucrative employment, others chose migration as a route to escape abject poverty only to find themselves vulnerable at destination points²⁸. A great majority of trafficked women and girls have ended up as prostitutes in Kolkata (previously Calcutta), Mumbai, and other urban centers in India²⁹.

Women clearly constitute a key component of these dynamic transnational migration practices. An absorbing study on Bangladeshi women who were (and probably still are) ‘sold’ as wives to widowed villagers along railway routes in the north Indian provinces of Uttar Pradesh, Rajasthan, and Punjab exposes other complexities connecting gender relations, cross-border migrations and existing social structures in the Indian sub-continent³⁰. Men, some of them Hindus, who could not find wives locally due to the skewed sex ratio in India and the declining numbers of local women, purchased young Bangladeshi Muslim brides through *dalals*. Many of these women may otherwise have been sold to brothels.

²⁶ Mahmood, Raisul A 1998. ‘Bangladeshi clandestine foreign workers’. In *Emigration Dynamics in Developing Countries* (Volume II – South Asia) Reginald Appleyard (ed.) Aldershot: Ashgate, pp. 176-220.

²⁷ Gazi, Ruksana et al 2001. *Trafficking of Women and Children in Bangladesh*. Dhaka: Center for Health and Population Research, ICDDR, B.

²⁸ INCIDIN Bangladesh 2002. *Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh*, Dhaka: ILO-IPEC.

²⁹ Blanchet, Therese 2002. *Beyond Boundaries: A Critical Look at Women Labour Migration and the Trafficking Within*. Dhaka: Drishti Research Center and USAID.

³⁰ Blanchet, Therese 2003. *Bangladeshi Girls Sold as Wives in North India*. Dhaka: Drishti Research Center and Academy for Educational Development.

The women were forcibly converted and subsequently incorporated into rural households as slave wives to live lives of drudgery and hardship. Since wives had been procured (instead of providing dowry as is the custom), belonged to very poor families, and previously practiced a different religion, they and their children lacked status and respect. Purchased wives were not allowed to maintain any contact with their families in Bangladesh, who were unaware that they had been sold. Ironically, the few women who did manage to return to their natal villages were also ostracized for similar reasons. The emergence of a new lower sub-caste in these villages consisting of the progeny of these mixed marriages is another noteworthy outcome of these practices. The myriad social effects of these latest transnational migrations in India, however, remain imperceptible and very poorly documented.

Becoming Indian

What has attracted much attention lately, at least on the political level, is the migrants' long-term settlement in various parts of India and seemingly painless assimilation within its social and political fabric. The process of 'becoming Indian', so to speak, has not been insurmountable for migrants for several important reasons. To begin with and remarkably, the presence of these migrants was more or less tolerated in India for a very long time: successive central and provincial governments remained indifferent to these cross-border flows. The continued inflow of impoverished migrants may have been considered an irritant, but the migrants were not perceived as a threat to national security or the long-term economic security of Indians.

Little was done until very recently to deter the migrations, for example through draconian steps like regular deportations or stringent border controls. Even Assam, the first Indian province to witness a xenophobic political movement against the so-called 'Bangladeshis' (which targeted both Bengalis from West Bengal and Bangladeshi migrants – old and new) from the late 1970s to the mid-1980s, did not experience large-scale state-sponsored expulsions of Bangladeshis³¹.

Second, the deficiency of organized and well worked-out mechanisms of identification and expulsion, or the existence of the bureaucratic machinery needed to facilitate these processes, may have played an additional role. The reality is that India does not possess the vast financial resources needed to put in place extensive measures, like deportation centers or separate immigration bureaucracy to conduct background checks as does the Immigration and Naturalization Service (INS) in the United States, to curb these flows. The onerous task of detecting Bangladeshis has been assigned to the Border Security Forces at the border, and within the country to the poorly equipped local police and Foreigners Regional Registration Offices.

Third, physical and cultural similarities between migrants and Indians have been a crucial factor. In appearance, Bangladeshis look like Indians, and despite differences in dialect,

³¹ Hazarika, Sanjoy 2000. *Rites of Passage: Border Crossings, Imagined Homelands, India's East and Bangladesh*. New Delhi: Penguin.

enjoy a common language, culture and lifestyle with Indian Bengalis. They also share cultural norms with Indian Muslim communities. Furthermore, migrants have adapted in various ways to the new locales and contexts in which they have settled. In New Delhi, for example, many Bangladeshis have learned to speak Hindi, and migrant women are wearing *salwar kameez* instead of *sari* (worn in West Bengal and Bangladesh). Most Bangladeshis have moved to slums where other Indian Bengalis and Indian Muslim communities live, allowing them to blend in easily. Over the years, Bangladeshis have established kinship bonds with Indian Muslim communities through marriage, thereby strengthening their ties to India³².

Supplementary strategies have been adopted to evade detection and deportation. These include camouflaging religious identity by using fake Hindu names with strangers and outsiders. Women migrants have assumed Hindu religious markers on their bodies like the application of *sindur* and *bindis* (red color applied on parting of hair, and as a dot on the forehead respectively). Migrants have routinely claimed that they are from West Bengal rather than Bangladesh at the time of apprehension. “After crossing the border, we all become West Bengalis”, a Bangladeshi migrant rationalized³³. In the absence of a centralized register of citizens, it has been difficult and expensive for the Indian state to verify these claims.

Capricious citizenship

Perhaps most importantly, the dearth of an infallible method of identifying Bangladeshis has proved to be a major stumbling block for the Indian state. India lacks a reliable database of citizens and a national identity card scheme that prevents it from distinguishing perfectly between Indians and Bangladeshis. Many poor people in rural India or those who eventually migrated to cities do not own state-issued or other official documents like birth certificates, drivers’ licenses, property deeds etc. that generally confirm nationality and citizenship. Indigent Indians who rarely get the opportunity to travel outside the country do not hold passports.

On the other hand Bangladeshi migrants, in particular those who have been living in India for some time have been inadvertently issued official documents such as ration cards (for subsidized food rations, and used previously to establish domicile status), voter identity cards and passports. Others have obtained them with the help of local powerbrokers, *dalals*, and by paying bribes to minor government officials. The atypical result has been that while in possession of such documents, a lot of Bangladeshi migrants have effectively become residents and citizens of India³⁴. They have been entitled to, and availed themselves of, the same benefits as Indians. These include the rights to obtain subsidized food rations under the public distribution scheme through ration cards, to

³² Ramachandran, Sujata 2004. ‘There are many Bangladeshis in New Delhi’.

³³ Blanchet, Therese 2002. *Beyond Boundaries: A Critical Look at Women Labour Migration and the Trafficking Within*. Dhaka: Drishti Research Center and USAID, p. 18.

³⁴ Balwally, Darshan 1998. ‘Citizenship is for sale here,’ *Hindustan Times*, 22 August.

purchase property in India, and perhaps most importantly, to influence regional and national politics by voting during elections³⁵.

Because documents can be acquired fraudulently and differences between Indians and Bangladeshis are negligible, local police have on many occasions refused to acknowledge and even destroyed documents presented by non-migrants and migrants alike during the detection of Bangladeshis. According to unidentified government sources quoted in a newspaper report:

We do not accept it. A ration-card merely proves your residence in a particular area and entitles you to subsidized food. Similarly, electoral authorities enroll someone as a voter merely on the basis of a statement made by such person.³⁶

A resident of a Mumbai slum who was asked to prove his credentials confirmed this tendency:

I have all the papers. I can prove that I am an Indian. When I show my *gram panchayat* [village council] certificate, my school certificate and my ration card to the police, they say these can be bought for Rupees 10. I have my voter's identity card too, but the police do not accept it. This is ridiculous. These are documents issued by governments in this country. How can the police say my documents are faked?³⁷

In such a scenario it is not clear what truly constitutes Indian citizenship or, to be more precise, which documents conclusively confirm nationality of this country. I term the consequences of this ambiguity the 'workings of capricious citizenship'. It has seriously undermined the Indian state's efforts to expel Bangladeshis who are able to extend their stay in India by maintaining that they are Indian citizens. Correspondingly it has considerably weakened the rights of poor Muslim Indian residents who have been mistakenly labeled as 'Bangladeshis' and thereby face the constant risk of being deported³⁸.

Bangladesh's unrelenting stance that 'there are no illegal immigrants from Bangladesh to India' has added another out-of-the-ordinary dimension to these workings. Like India, Bangladesh has refused to accept the transnational migrants as its citizens because they do not possess the 'right' documents to establish their citizenship in this neighboring country³⁹. In any case, Bangladesh has argued persuasively on many occasions, India has

³⁵ Ojha, Renu 2005. 'How did this woman get to vote?' *Mid-day*, 15 April.

³⁶ Khomne, Ranjit 1998. 'Deporting Bangladeshis is an uphill task for police,' *Afternoon Dispatch & Courier*, 23 July.

³⁷ Kumar, Anila Ashok 1998. 'Mumbai Bengalis live through nightmare: government stamped documents can be bought for Rs. 10, says police,' *Asian Age*, 29 July.

³⁸ Rao, Nivedita et al 1998. *Deportations of Bengali-speaking Muslims from Mumbai*. Mumbai: CPDR, Ekta and WRAG. Internet resource: http://www.geocities.com/indianfascism/fascism/deportating_bangali_muslims.htm (Last accessed 30 June 2005).

³⁹ *Times of India* 2003. 'Indo-Bangla talks to defuse tension', 14 February.

allowed the migrants to live in its country for many years, even issued them official documents, therefore these migrants ought to be treated as Indian citizens.

The enduring geopolitics of this region, namely, the crude association between nationalist inclusion and religion in South Asia, have provided the defining element in the workings of capricious citizenship⁴⁰. There can be no doubt that these chauvinistic sentiments have swelled in these countries over the last decade or so. To be precise, while India has undergone a rapid growth in popularity of the Hindu right parties espousing a Hindu-Indian nation, Bangladesh has concomitantly experienced a steady intensification in Islamic fundamentalism. The anti-Muslim sentiments in India have encouraged anti-Hindu and anti-Indian sentiments in Bangladesh. Predictably then, Indian efforts to expel Bangladeshis have evoked sharp hostility from its neighbour. Above all, the poverty of these transnational migrants has made them expendable scapegoats in both countries.

As a result, a mass of individuals has emerged who are increasingly perceived as undesirable and unwanted by their countries of origin and destination. They cannot be strictly classified as ‘undocumented’, ‘irregular’ or ‘illegal’ migrants because they have been documented (even if in a haphazard manner) and certainly integrated in both countries. Thus their lived realities are tied closely to these countries. We use the term ‘transnational migrants’ to describe their situation⁴¹.

A recent study on female labour migration to Kolkata and Mumbai cities, for example, substantiates this notion. Migrants interviewed for this research had spent their working lives in India, possessed most of the official documents needed to survive in this country yet voted in successive elections in Bangladesh and used remittances to buy property in their villages⁴². In short, they generally maintained close connections with their country of origin.

This idea of dual nationality and belonging is amusingly underscored in a satirical verse that appeared in a popular West Bengali journal ridiculing former Indian Chief Election Commissioner T N Seshan’s efforts in the mid-90s to disenfranchise Bangladeshi migrants and thereby prevent them casting their votes:

*Tor tate ki, ami jodi Bangladeshi hoi,
Bari amar Rajshahite, Indiate roi
Jodhio ami chakri kori, Bangladesher dafterte,
Nam tulechi Indiate, Sheshan ki ar korbere*

⁴⁰ Ramachandran, Sujata 2003. ‘Operation Pushback’.

⁴¹ See, for example, Faist, Thomas 2000. ‘Transnationalization in international migration: implications for the study of citizenship and culture’ *Ethnic and Racial Studies* 23 (2): 189-222; Al-Ali, Nadjie, Richard Black and Khalid Koser 2001. ‘The limits to “transnationalism”: Bosnian and Eritrean refugees in Europe as emerging transnational communities’ *Ethnic and Racial Studies* 24 (4): 578-600.

⁴² Blanchet, Therese 2002. *Beyond Boundaries*.

[How does it matter to you if I am a Bangladeshi?
If my house is in Rajshahi and I live in India?
Even though I serve in an office in Bangladesh,
I have enrolled as a voter in India,
What can Seshan do?]⁴³

Newer attempts to deport transnational migrants from India have made these ties to Bangladesh stronger than ever before. More importantly, these attempts at expulsion have put in place barely visible arrangements that have marginalized already poor and marginal Muslim communities in India – both Indians and Bangladeshis. I address these measures relating to deportation and discrimination as well as exploitation within in the next section.

Thieves, traitors, and terrorists

Political developments in India from the early 1990s have had a profound impact on the fragile existence of these transnational migrants. During this period, attitudes towards Bangladeshi immigrants have hardened considerably all over India. I illustrate this point with two current examples. In mid-April of this year (2005), a minor Assamese youth group Chiring Chapori Yuva Morcha (CCYM) recharged the debate over the migrants by sending out mass text messages through cellular phones in eastern parts of this province that read ominously: “save nation, save identity. Let’s take an oath - no food, no job, no shelter to Bangladeshis”⁴⁴.

Leaflets urging the ‘economic blockade’ of Bangladeshis in India were also distributed, and newspaper reports revealed that many new and temporary migrants subsequently fled the province⁴⁵. In another disturbing occurrence, workers of the All Assam Students Union (AASU), which has been anti-migrant for a long time, went from door to door urging locals not to provide accommodation to Bangladeshis⁴⁶. While this article was being written, in one incident alone, Assamese youth assaulted nearly a dozen Bengali-speaking laborers engaged in road construction in Dibrugarh⁴⁷.

The second example relates to the flare-up some two years ago in these two countries over the stranded transnational Bangladeshis referred to in the beginning of this article. At that time, a small and selected sample of Indians were asked if Bangladeshi migrants living in New Delhi should be given work permits to legalize their stay in India. The answer was a resounding ‘no’. Two participants responded in this vein:

Why? Are we short of the unskilled force that Bangladeshi migrants mostly represent? Or is India a *dharamshala* [charitable institution]

⁴³ Samaddar, Ranabir 1999. *Marginal Nation*, p. 166.

⁴⁴ Hazarika, Sanjoy 2005. ‘SMS on Bangladeshis’ (North by North East column), *Statesman*, 24 May.

⁴⁵ *Indian Express* 2005. ‘Thousands of Bangladeshis flee India’, 19 May.

⁴⁶ Hussain, Seema 2005. ‘Menacing messages’, *Week*, 5 June.

⁴⁷ Hussain, Syed Zarir 2005. ‘Suspected Bangladeshis face attack in Assam’, *Hindustan Times*, 17 June.

anyone can walk into, settle down in, acquire voting rights, or create social tensions due to economic imbalance?

Bangladeshis indirectly help the terrorists working against India. Further, Indians...are facing unemployment on their own soil. Why create more chaos?⁴⁸

The provocative discourses against Bangladeshi migrants in India contain the usual elements comparable to other geographical contexts experiencing xenophobic reactions from its citizens. Migrants are blamed for many, if not all, problems faced by Indians, ranging from unemployment, environmental degradation, domestic and international terrorism, increasing crime and lawlessness and others. Two aspects of these discourses, however, deserve special mention here. First, many Indians, even those who are sympathetic to the plight of impoverished Bangladeshis, believe that a country like India with a large population, limited resources and many poor citizens of its own simply cannot afford to assume the burden of outsiders.

“After all, it is not India’s responsibility to feed and provide homes and hearths to an endless stream of Bangladeshis”, is how a newspaper columnist worded it⁴⁹. Another commentator asserted forcefully:

the illegal migrants must be identified, segregated, and then pushed back where they came from. India has enough problems of its own without having to take on Bangladesh’s burden as well,⁵⁰

The second aspect ties the presence of transnational Bangladeshis to national security and regional politics in a much more sinister manner. Religion and cross-border migration are coupled, and adversely implicated, in these jingoistic nationalist discourses. Bangladeshi migrants are then not seen simply as ‘illegal’ immigrants or ‘aliens’. Instead they are branded as ‘infiltrators,’ migrating to India as part of a deliberate plot to undermine the security and wellbeing of a Hindu-Indian state threatened by the onslaught of Islamic fundamentalism in South Asia⁵¹. The rise of Islamophobia internationally after the attacks on the World Trade Center in New York has added fresh fervor to this discourse⁵².

The growing numbers of Muslim Bangladeshis in India, once described gloomily as an “invisible, silent invasion” and “demographic aggression” by an ideologue of the right-

⁴⁸ *Times of India* 2003. ‘India is no *dharamshala* for anyone to walk into: Should Bangladeshis be given work permits in the capital,’ 8 February.

⁴⁹ Siddharth, Gautam 2004. ‘Bordering on the ludicrous’, *Pioneer*, 19 September.

⁵⁰ Shenoy, TVR 2003. ‘Enough is enough,’ *Rediff on the Net*, 14 February. Internet resource: <http://www.rediff.com/news/2003/feb/14flip.htm> (Last accessed 24 June 2005).

⁵¹ Ramachandran, Sujata 2003. ‘Operation Pushback’.

⁵² *Hindu* 2002. ‘Bangladesh, a hotbed of anti-India terrorists’, 14 October. See also *Statesman* 2002. ‘Another neighbor – Bangladesh is becoming a menace’ (Editorial), 30 November.

wing Indian political parties⁵³, has provoked great concern. Seeking the construction of impermeable borders and forcible expulsion of all transnational migrants from India, the support for these Hindu nationalist parties has grown steadily in various parts of India. The unofficial classification of Hindu Bangladeshis by successive Indian governments as 'refugees' escaping persecution from an Islamic Bangladeshi state and their differential treatment from Muslim migrants has been another striking product of these changes in the Indian sub-continent.

An added difference since the late 1990s is that cross-border migration from Bangladesh is no longer considered as a regional issue, or 'problem' as it is usually described, only affecting provinces in northeastern parts of the country adjacent to the Bangladesh border. Rather, it has become an issue of national prominence, and empathy towards the migrants has dwindled progressively. Deportations of migrants, once a sporadic occurrence in selected provinces, are becoming a routine practice in many different areas and the number of deportees has risen steadily. Even a province like West Bengal that had heretofore been sympathetic towards them has begun to institute measures to deter the migrations, such as building special prisons for deportees⁵⁴.

In a striking development in mid-2003, the province's Chief Minister Buddhadeb Bhattacharjee had commented in an unusual manner:

our government can no longer tolerate *infiltration* across the border, which has reached alarming proportions. Enough is enough this can't go on any longer.

In previous years, though, West Bengal had opposed the expulsion of Bangladeshis from other provinces through its border. Notably, in mid-1998, workers affiliated with the minister's ruling coalition had liberated a small group of deportees expelled from Mumbai city at the Uluberia railway station within West Bengal, who were on their way by train to the Bangladesh border. At that time, the West Bengal government had strongly indicted the central government and state government of Maharashtra, consisting at that time of the Hindu nationalist parties, for singling out Bengali-speaking Indian citizens belonging to the Muslim faith.

The serious charge that the Indian state was banishing its own citizens instead of Bangladeshis, citizens belonging to religious minorities no less, dogged early attempts at these exercises. Accordingly, initial efforts to deport Bangladeshis from places like Mumbai and New Delhi during the early to late 1990s were fraught with controversy⁵⁵. With the exception of the Hindu nationalist parties, other national and regional political parties were deeply divided over the best means to deal with the increasing numbers of Bangladeshis. Most of all, owing to the 'workings of capricious citizenship', many

⁵³ Rai, Baljit 1993. *Demographic Aggression against India: Muslim Avalanche from Bangladesh*. Chandigarh: BS Publishers.

⁵⁴ Nagchoudhury, Subrata 2003. 'Bangla migrants in Bengal jails', *Indian Express*, 7 June. See also *Hindustan Times* 2003. 'West Bengal to build special jail for illegal immigrants', 13 December.

⁵⁵ Ramachandran, Sujata 2003. 'Operation Pushback'.

parties were loath to act harshly lest they be branded ‘anti-Muslim’ and, even worse, seen to behave against the interests of Indian Muslims. The voting power exerted by Bangladeshi immigrants in this country provided an extra impetus.

This ambivalence seems to be visible to some extent even today, although the growing consensus is that cross-border flows from Bangladesh and long-term settlement by citizens of this neighboring country ought to be restricted and deterred. This is evident in a new media report stating that the Indian Home Ministry has decided to reject a proposal to issue temporary employment and residence permits to Bangladeshi migrants living in India. The article goes on to quote an unidentified senior government official who disclosed “the unanimous view was that it is impossible to give work permits to Bangladeshis as they are illegal immigrants and it would set a bad precedent”⁵⁶.

Perhaps the most disconcerting indication of this mounting ‘compassion fatigue’ is the damaging involvement of the judicial system in state efforts to ‘detect, delete, and deport’ Bangladeshis. Late last year, the Supreme Court of India responded to a Public Interest Litigation (PIL) on Bangladeshi migrants in India by ordering the central government and Election Commission of India to regularly identify Bangladeshi migrants and strike their names from Indian electoral registers⁵⁷. In a similar development, the Delhi High Court has reprimanded the state and central governments several times for their inability to follow its ‘Action Plan’ and deport at least 100 Bangladeshis each day from the capital city⁵⁸.

Detection, deportation, and discrimination

So how have these pervasive changes in India affected the lives of Bangladeshi transnational immigrants residing within it? I cite examples from New Delhi, where my own work with migrants in the city’s slums is based. Here, the numbers of Bangladeshis being forcibly repatriated has been rising, though the deportation figures vary in different accounts. According to one report that purportedly uses statistics provided by the Delhi government, a total of 2957 migrants were deported between 1995 and 2002, with the numbers increasing to 5028 in 2003 and 1678 persons till February 2004⁵⁹. Yet another report claims that from 2001 to 2004 the Delhi police sent some 12,200 individuals to Bangladesh⁶⁰.

The problematic processes surrounding the detection and deportation of Bangladeshis have, nevertheless, not been seriously questioned. Several human rights groups investigating the deportations conducted in Mumbai and New Delhi have underscored the

⁵⁶ Kumar, Manan 2005. ‘No work permits for settlers’, *Telegraph*, 13 June.

⁵⁷ *Outlook* 2004 ‘SC notice to Centre, EC on illegal Bangladeshis,’ 10 December and *Hindustan Times* 2004 “SC issues notice to Centre, EC on illegal Bangladeshis,” 11 December.

⁵⁸ *Tribune* 2003. ‘Court wants 100 illegal Bangladeshis deported daily’, 19 November. See also *Pioneer* 2003. ‘High Court raps centre on Bangladeshi immigrants’ issue’, 24 September.

⁵⁹ Thomas, Abraham 2004. ‘Country roads, take them home’, *Pioneer*, 3 October.

⁶⁰ Tikku, Alope 2005. ‘Nobody’s children for Dhaka, residents for Delhi’, *Telegraph*, 26 April.

arbitrary and exploitative nature of these practices⁶¹. Police brutality and violence directed against the deportees, including sexual assaults on apprehended women, have been a common aspect of the deportations. Despite this, little effort has been made to rectify the recurring mistreatment of poor slum residents during the deportations.

The vexed *modus operandi* through which Bangladeshis have been detected demands critical scrutiny. Police and local powerbrokers tied to various political parties in these spaces have played a decisive part in identifying migrants⁶². Widespread corruption and self-interest motivating these agents of the state are discernible features of these exercises. Slum residents have routinely paid bribes to local police in order to escape deportation. In some cases, residents were deported when they could not produce the arbitrary and often large sums of money demanded. Slum *pradhans* or leaders have, likewise, used the ever-increasing threat of expulsion to strengthen their own position and keep migrants and non-migrants under their power.

Since it is hard to differentiate between Indians and Bangladeshis and many Bangladeshis possess official documents issued by the Indian state, local police have relied heavily on *mukhbars* (sometimes also referred to as *mukhbirs*) or informers to detect migrants. Generally these informers are also insiders. That is, they are residents of these slums, sometimes workers or associates of *pradhans* and a number of them are even Bangladeshis. In these circumstances, the potential for abuse and discrimination remains extremely high⁶³. Available research, for example, shows that *mukhbars* have exerted great control over the deportation process and deportees were sometimes branded as 'Bangladeshis' for other, sinister, reasons – say, usurping their shanties for profit⁶⁴.

It is also not clear whether all of those deported were originally from Bangladesh. My research reveals that at least some of those deported were Indian Muslims from various parts of India erroneously identified as Bangladeshis. Human rights groups go even further, suggesting that many of those deported were originally from other parts of India, rather than Bangladesh⁶⁵. The presence of Bangladeshi migrants in slums inhabited by Indian Muslim communities has contributed somewhat to this situation, despite the fact that the escalating anti-Muslim bias of local authorities has played a very big part in this

⁶¹ Nivedita Rao et al 1998. *Deportations of Bengali-Speaking Muslims from Mumbai*. Mumbai: CPDR, Ekta and WRAG. Internet resource: http://www.sacw.net/i_ain/deport.html (Last accessed 30 June 2005). See also Dalwai, Shama and Irfan Engineer 1995. *Immigrants in Mumbai: A Fact Finding Report*. Internet resource: http://www.sacw.net/i_ain/Report.html (Last accessed 30 June 2005); PUCL Bulletin 2000. 'The people speak out: police harassment of Bengali-speaking Muslims of Yamuna Pushta', December.

⁶² Ramachandran, Sujata 2002. 'Re-moving Bangladeshis: undocumented immigrants in New Delhi and the risks of everyday lives'. Paper presented at Canadian Association of Geographers' Annual Meeting, Toronto, May 28 -1 June.

⁶³ Citizens Campaign to Preserve Democracy 2004. *Democracy, Citizens and Migrants: Nationalism in the Era of Globalization*. New Delhi: Citizens Campaign to Preserve Democracy. Internet resource: www.amanpanchayat.org/test/hsc_ccpdfinalreport.htm (Last accessed 1 May 2005).

⁶⁴ Bijulal, MV 2004. *City, Slum and the Marginalised: Dalits and Muslims in Delhi* New Delhi: Indian Social Institute; and Ramachandran, Sujata 2002. 'Re-moving Bangladeshis'.

⁶⁵ Citizens Campaign to Preserve Democracy 2004. *Democracy, Citizens and Migrants*. See also Rao et al 1998. *Deporting Bangladeshis*.

state of affairs. To summarize, it would be fair to state that in the current context poor Bangladeshi immigrants and indigent Indian Muslims represent some of the most vulnerable and victimized groups in India.

Conclusion

While this article was being completed, a couple of momentous political changes affecting the lives of transnational Bangladeshis have taken place in India. First, the issue of 'illegal' Bangladeshis has been rekindled in Assam as outlined in a previous section of this article. Second, on 11 July 2005, the Supreme Court of India repealed a significant piece of progressive legislation that was put in place to protect the human rights of migrants and the Muslim minority in the same province⁶⁶. Canceling the Illegal Migrants (Determination by Tribunals) Act (IMDT) by deeming it 'unconstitutional', the three-judge bench ruled that it "has created the biggest hurdle and is the main impediment or barrier in the identification and deportation of illegal migrants"⁶⁷. Accordingly, independent panels set up to determine the nationality and citizenship of persons identified as Bangladeshis in Assam would cease to function.

The Government of India is yet to act decisively on this legal decision, although it did quickly set up a Group of Ministers (GoM) to evaluate the court order and propose possible courses of action⁶⁸. Responding to the Court's decision, the current Congress-led coalition government, known to be sympathetic to the migrants, has indicated that it favors the establishment of a new law to deal with transnational Bangladeshis⁶⁹.

The presence and inclusion of transnational Bangladeshis will very likely continue to be a volatile subject in the region in years to come. Given the intricacies of the situation as sketched out in this article, there are no easy or straightforward solutions. Moreover, with Bangladesh's constant reluctance to recognize the migrants as its own citizens, and attitudes towards them continuing to toughen in India, the future of transnational Bangladeshis (especially those who have lived in India for an extended period) appears bleak. It also signals the rapid erosion of the long-standing tradition of tolerance and diversity in India. Though the likelihood of positive change appears doubtful, this paper ends by providing some preliminary and broad suggestions through which a progressive agenda for change may be established.

- Legislative reform – The old and outdated legal framework in India for dealing with 'illegal' migrants should be replaced with a new policy structure that will take into account the shifting realities of cross-border migration in South Asia.

⁶⁶ *Outlook* 2005a. 'SC strikes down IMDT Act as unconstitutional,' 12 July. Internet resource: http://www.outlookindia.com/pti_news.asp?id=310010 (Last accessed 14 July 2005).

⁶⁷ *Hindu* 2005. 'IMDT Act is the biggest barrier to deportation, says Supreme Court', 14 July 2005

⁶⁸ Kumar, Vinay 2005. 'Group of ministers to study order on Illegal Migrants Act, *Hindu*, 15 July.

⁶⁹ *Outlook* 2005b. 'SC ruling on IMDT not a "shock" to us: Cong', 14 July. Internet resource: http://www.outlookindia.com/pti_news.asp?id=310618 (Last accessed 15 July 2005).

- Empirical research – Despite the hyper-visibility of Bangladeshi migrants in India, very little is known about these migration processes. Progressive scholarly research should be carried out on the complexities of transnational migrations between Bangladesh and India especially in order to counter stereotypes about migrants, biases towards the migration process and its outcomes for India. Research can also assist in informing and shaping policy amendments.
- Role of SAARC and SAFTA - The mandate of regional bodies like the South Asian Association for Regional Cooperation (SAARC) should be utilized to promote improved bilateral ties between the two countries. Similarly, the newly established South Asian Free Trade Area or SAFTA can provide possibilities for a new framework for the legal, short-term movement of labour across borders in this region.
- Human rights approach – The governments of India and Bangladesh should adopt a humane attitude towards the transnational migrants. Especially, steps should be taken to reduce the exploitation and discrimination associated with the deportations.