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Everyday Geographies of the Enclaves in India and  
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HOSNA JAHAN SHEWLY

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## **Life, the Law and the Politics of Abandonment: Everyday Geographies of the Enclaves in India and Bangladesh**

This PhD strives to understand what roles politico-spatial-legality play in shaping everyday life in the enclaves located in the northwest borderland curve in the India-Bangladesh border. Conceptually and legally, an enclave is a fragmented territory of one sovereign power located inside another sovereign territory. Following the decolonisation process in 1947, both India and Pakistan/Bangladesh inherited more than 200 enclaves. By investigating an everyday geography of the politico-spatial-legality in Indian and Bangladeshi enclaves, the aim of this thesis is to understand *how* the long existence of these enclaves shape their residents' everyday lives. This thesis examines four research questions – i) how do the politico-spatial-legal factors shape citizenship in the enclaves? ii) What role(s) do boundaries perform in everyday life in the enclaves? iii) What are the (il)legal-political vulnerabilities present in the enclaves? And iv) What are the (il)legal survival methods adopted by the enclave residents'?

The whole research is based on a seven-month ethnographic account in six enclaves and short visits (one day in each enclave) to another twenty enclaves during the pilot study in India and Bangladesh. The field sites were selected based on enclave size, distance from the border, practice of religion and relationship with the concerned states. The ethnography involved observing mundane events at different periods of time in different segments of the enclaves and nearby borderlands, and participating in local gathering in tea stalls, women's evening socialisation and other social events. 55 in-depth interviews with the enclave residents and 10 interviews with the state officials were conducted for a detailed understanding of personal experiences and negotiations, and state perspectives on the enclave matter respectively.

The thesis reveals that the enclave residents live in a non citizenship status, and the border is experienced in myriad ways in the enclaves constituting politico-juridical, social and gendered forms of bare life. On the other hand, the enclave dwellers find ways of attempting to cope with such circumstances and try to survive and advance their life through the loopholes of the state-system. The approach adopted in this thesis to study enclaves through the framework of politico-spatial-legality interactions is expected to advance enclave research. In addition, the thesis contributes to the academic literatures on citizenship and abandonment, border, bare life and rhythms of survival tactics. At policy level, the thesis can help policy makers understand ground vulnerabilities and difficult lives in the enclaves as there is very little government work available on enclave life.

# **Life, the Law and the Politics of Abandonment: Everyday Geographies of the Enclaves in India and Bangladesh**



**This dissertation is submitted in fulfilment of the requirements of the  
degree of Doctor of Philosophy in the Department of Geography**

**Hosna Jahan Shewly**

**Department of Geography, Durham University, September 2012.**

## TABLE OF CONTENTS

Abstract .....	i
Table of Contents .....	iii-v
List of Tables .....	vi
List of Figures .....	vii-viii
List of Maps .....	ix
List of Abbreviations .....	x
Declaration of Authorship and Copyright .....	xi
Acknowledgements .....	xii-xiii
<b>Chapter 1: Introduction - A Brief Account of this Research &amp; Cooch Behar Enclaves .</b>	<b>1-28</b>
Introduction.....	1
Aim and Research Questions of the Study .....	4
How do politico-spatial-legal factors shape citizenship in the enclaves? .....	5
What role(s) do boundaries perform in everyday life in the enclaves?.....	5
What are the (il)legal-political vulnerabilities present in the enclaves? .....	6
What are the (il)legal survival methods adopted by the enclave residents?.....	6
Definitions and Global Distribution of the Enclaves .....	7
What is an Enclave?.....	7
Existing Enclaves of the World .....	9
The Cooch Behar Enclave Facts.....	12
Cooch Behar Enclaves in Pre Nation-state Era.....	12
Cooch Behar Enclaves in Post-Partition Period: Access .....	14
Anomalies over Total Population and Number of Cooch Behar Enclaves .....	15
Factors behind Cooch Behar Enclaves' Extensive Existence.....	17
Jinxed Enclave Exchange Proposals.....	17
India-Pakistan/Bangladesh Relations and Enclave Issue.....	22
Thesis Outline and Conclusion .....	26
<b>Chapter 2: Political Geography of an Enclave through the Lens of Politico-Spatial-Legality .....</b>	<b>29-50</b>
Introduction.....	29
'Enclave': A Neglected Term in Political Geography Vocabulary .....	30
Literatures on enclave-like geopolitical outliers .....	32
Cooch Behar Enclaves in Literature .....	34
Why Study Enclaves in Political Geography? .....	37
Politico-Spatial-Legality: A Framework to Study Enclaves.....	40
Multiple Interactions of Politico-Spatial-Legality .....	42
The Importance of the Everyday in Enclave Study .....	44
Everyday Politico-Spatial-Legality in Cooch Behar Enclaves .....	46
PSL between the Enclave-Home Country.....	46
PSL between the Enclave-Host Country.....	47
PSL Everyday Survival in the Enclaves.....	49
Conclusion .....	49
<b>Chapter 3: Methodological Reflection .....</b>	<b>51-76</b>
Introduction.....	51
Pre-fieldwork Dilemmas: Sensitivity of the Topic, Visa & Legality Matters .....	53
Fieldwork Routes and Gate-keeping .....	54
Pilot Study .....	58

Selection of the Field-sites .....	63
Benefits of the Pilot Study .....	64
Positionality and Representation.....	64
Fieldwork Methods, Data Interpretation and Reflexivity .....	68
Methods and Data Collection .....	68
Reflexivity, Data Interpretation and Emerged Themes .....	70
Difficulties, Limitations and Ethical Issues .....	71
Difficulties and Limitations.....	71
Ethical issues and Risk Considerations .....	74
Some Important Considerations.....	74
Conclusion .....	75
<b>Chapter 4: From Citizenship to Abandonment: The Politics-Spaca-Law Nexus .....</b>	<b>77-100</b>
Introduction.....	77
Differential Citizenship in Practices .....	79
Citizenship Provisions in India and Bangladesh.....	83
Day-to-day Abandonment in the Enclaves .....	86
Bilateral Politics, legality and Transient Emergency Citizenship.....	92
Political Struggles, Law and Citizenship Aspirations .....	94
Conclusion .....	99
<b>Chapter 5: Meanings of Border in Everyday life: Enforcement and Encounter .....</b>	<b>101-126</b>
Introduction.....	101
The ‘Where’ of Border: Theoretical Considerations.....	104
Border Performativity on and Beyond the Bengal Border.....	107
Social construction of Borders between the Enclave and Host Country .....	113
The Tin-Bigha Corridor and the Everyday Mobile Border.....	117
Tin Bigha Corridor Facts .....	117
Everyday Life and the Time-corridor .....	121
Conclusion .....	123
<b>Chapter 6: Abandonment and the Construction of Bare Life in the Enclaves .....</b>	<b>127-142</b>
Introduction.....	127
Forms of Bare Life.....	128
The Enclaves Spaces of Exception .....	131
Construction of Bare Life by State Agencies: Vulnerability to Abandonment .....	133
Vulnerabilities to Wider Violence: Social Exploitations.....	136
Bare Life in a Gendered Dimension .....	138
Conclusion .....	141
<b>Chapter 7: The Rhythms of Everyday Survival: The Art of Living in the Enclaves.....</b>	<b>143-166</b>
Introduction.....	143
The Rhythms of Everyday Survival Practices: Conceptual Matters .....	145
The Rhythm of Everyday Political Negotiations with the Host Country .....	148
Geographic Factors, Tactics and Legality .....	152
The Rhythm of Mobility and Advancement across the India-Bangladesh Border.....	156
Temporary Movement .....	156
Permanent Movement.....	160
The Rhythm of Everyday Unity: Construction of Self-governing Enclave.....	161
Conclusion .....	166

<b>Chapter 8: Conclusion and Summary of the Thesis.....</b>	<b>167-182</b>
Research Findings.....	169
Transient Emergency Citizenship and Citizenship Aspirations in a Zone of Abandonment	169
Borders: Everywhere and Nowhere .....	171
Political, social and Gendered Form of Bare Life .....	172
The Rhythms of Everyday Survival Tactics .....	173
Implications of the Research.....	174
Politico-Spatial-Legality: A Conceptual Framework to Study Enclaves.....	174
Legal geography and Borderland Study .....	175
State, Sovereignty and the Enclaves .....	176
Importance of Ethnography and Everyday in Enclave Research.....	177
Abandonment and Statelessness .....	178
Implications in Policy Making and Awareness Building .....	179
Evaluations: Conceptual and Methodological Framework.....	179
Future Research Avenues .....	180
Final Remarks .....	181
<b>Cited References.....</b>	<b>183-211</b>

## LIST OF TABLES

### Chapter 1

Table 1.1: World Distribution of the Enclaves	10
Table 1.2: Variations in Total Number of Enclaves	16
Table 1.3: Variations in Total Number of Population in the Enclaves	16

### Chapter 3

Table 3.1: Time Line: Fieldwork Routes	58
Table 3.2: The enclaves' administrative distribution based on government information	59
Table 3.3: Brief descriptions of the enclaves visited during pilot study	62
Table 3.4: Interviews reached during the fieldwork	70

# LIST OF FIGURES

## Chapter 1

Figure 1.1: Karim Hossain standing at the edge of his enclave Sheotikursha in Bangladesh	1
--	---

## Chapter 2

Figure 2.1: The enclave-host-home countries interactions in a diagrammatic form	46
---	----

## Chapter 3

Figure 3.1: The curious rally to see what I am doing.	73
---	----

## Chapter 4

Figure 4.1a: An ordinary enclave resident's house	89
Figure 4.1b: Preparation for a dark night in an enclave	89
Figure 4.1c: A typical enclave road, and a minimum standard of rural earthen roads in Bangladesh which is similar to India	89
Figure 4.2a: River bank erosion and a collapsed mosque in Kismat Batrigach enclave	90
Figure 4.2b: River bank erosion in Bashkata enclave	91
Figure 4.3a: Celebration of Indian Republic day in Bangladeshi enclave	96
Figure 4.3b: Celebration of International Mother Language Day in Indian enclave Dashiarchora	97
Figure 4.4: IBEECC's rally to the District Magistrate office	97

## Chapter 5

Figure 5.1: An unsuccessful attempt of an Indian enclave dweller's land holdings in Bangladesh to get Bangladeshi national card	109
Figure 5.2: Bangladeshi enclave and Indian border fencing project	112
Figure 5.3a: Indian watchtower from the edge of Angorpota	120
Figure 5.3b: Round-the-clock guarding around these enclaves	121

## Chapter 6

Figure 6.1a: Indian State Government authorised road by the middle of Bangladeshi enclave Mashaldanga	132
Figure 6.1b: Public transport by the middle of Bangladeshi enclave Mashaldanga	132
Figure 6.1c: Change in Employment Distribution at Gabtola from 1981-2001	132
Figure 6.1d: Indian State Government authorised electric poles inside Bangladeshi enclave Korola.	133

## Chapter 7

Figure 7.1: Familial connection and encroachment to host country's electricity facility	153
---	-----

Figure 7.2: Border marker showing enclave-India boundary; border pillar and newly built house less than a foot distance from the pillar to India to get Indian citizenship, and people are sitting on the old location of house which was inside the enclave and the new house	154
Figure 7.3: Border pillar inside fenced boundary of a house; border pillar; both the man standing on both sides of the border, and the tube well falls in Indian side and the house is in the enclave	155
Figure 7.4: Mahima's every day movement across the India-Bangladesh border	158
Figure 7.5: Different types of ID cards that the Indian enclave residents managed over time	159
Figure 7.6: Phone call shop's banner in the middle of Dashiarchora	165

## LIST OF MAPS

### Chapter 1

Map 1.1: Cooch Behar enclaves in India-Bangladesh borderland	2
Map 1.2: Cooch Behar through history. 1713- after the final Mughal-Cooch Behar peace treaty	13
Map 1.3: The Berubari and proposed India-Bangladesh border	19
Map 1.4: Dahagram and Tin Bigha corridor	21

### Chapter 3

Map 3.1: Fieldwork study sites in shaded boxes	61
--	----

### Chapter 4

Map 4.1a: Map showing enclaves in India and Bangladesh	85
Map 4.1b: Official maps of the districts where enclaves are located in Bangladesh without any clear indication of the enclaves	85
Map 4.1c: Official map of Cooch Behar and no indication of the enclaves except the Dahagram and Angorpota enclaves	86

### Chapter 5

Map 5.1: Map showing the location of Dahagram, Angorpota and Tin Bigha corridor	118
Map 5.2: The Tin Bigha Corridor	123

## LIST OF ABBREVIATIONS

APL	Adversely Possessed Land
BBC	British Broad Casting Corporation
BDR	Bangladesh Rifles
BISS	Bangladesh Institute of International and Strategic Studies
BJP	Bharotio Janata Party
BNP	Bangladesh Nationalist Party
BSF	Border Security Force
CA	Central Asian
CSIRD	Centre for Studies in International Relations and Development
D&A	Dahangram & Angorpota
DHG	Dictionary of Human Geography
EU	European Union
IBEECE	India-Bangladesh Enclave Exchange Co-ordination Committee
IDSA	Institute of Defence Studies and Analyses
JBWG	Joint Boundary Working Group
LBA	Land Boundary Agreement
MA	Master of Arts
MP	Member of Parliament
NGO	Non-Government Organisation
NML	No Man's Land
OED	Oxford English Dictionary
PSL	Politico-Spatial-Legality
UN	United Nations
UNESC	United Nations Economic and Social Council
USSR	Union of Soviet Socialist Republics
WB	West Bengal
WE	West European

## **DECLARATION OF AUTHORSHIP AND COPYRIGHT**

I confirm that no part of the material presented in this thesis has previously been submitted by me or any other person for a degree in this or any other university. In all cases, where it is relevant, material from the work of others has been acknowledged. The copyright of this thesis rests with the author. No quotation from it should be published without prior written consent from the author.

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Signed,

Date:

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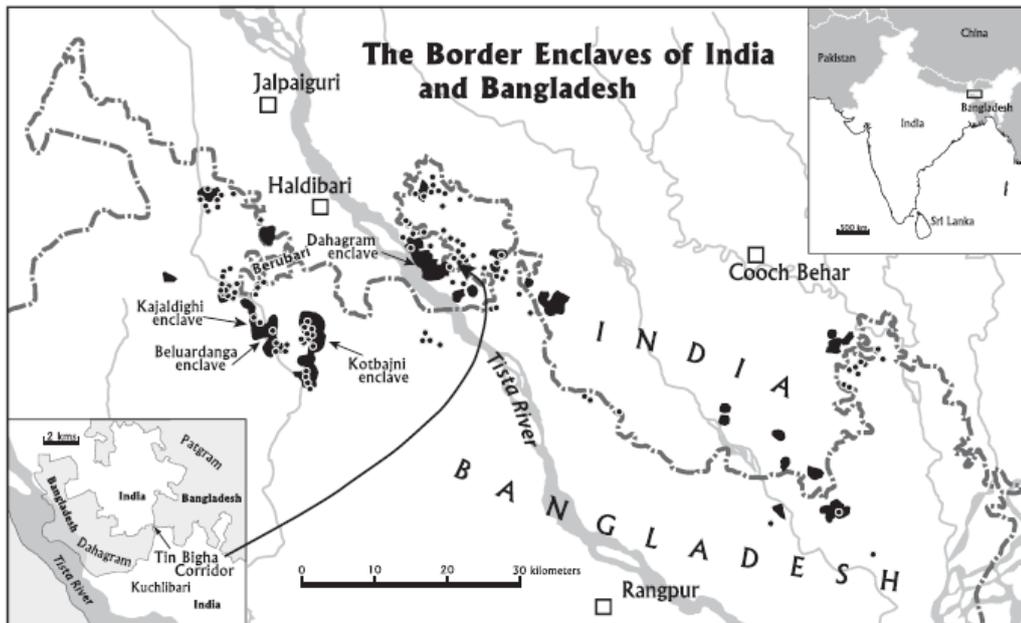
## Introduction – A Brief Account of this Research & Cooch Behar Enclaves



**Fig 1.1: Karim Hossain standing at the edge of his enclave Sheotikursha in Bangladesh**

Karim Hossain (28) is standing at the edge of his agricultural land, which is also the edge of Indian territory, Sheotikursha, inside Bangladesh. There are a few yards of Bangladesh between his land holding and the India-Bangladesh border pillar that entirely disconnect him from his home country India. Legally he is an Indian citizen but unable to visit India because of the role of international border as a barrier. Such territorial arrangement, a fragmented territory of one sovereign power located inside another sovereign territory, is conceptually and legally defined as an enclave. This thesis is about Karim Hossain and tens of thousands of enclave dwellers who live in such circumstances in the India-Bangladesh borderland. Following the decolonisation process in 1947, both India and Pakistan/Bangladesh inherited more than 200 enclaves, which comprise 80% of the world enclaves (Van Schendel, 2002). Accordingly, enclave dwellers' citizenship was endorsed. Because of an enclave's trans-territorial location

(the boundary pillar marks enclave folk's spatio-legal identity), their life is intrinsically linked with the territorial power of the concerned states. These places are a unique example of the everyday life involving two nation-states and their laws. The boundary pillars (marking enclave-mainland) and enclave maps along with land holding documents are the *sine qua non* for everyday life in the enclaves since decolonization occurred. The aim of this thesis is to investigate *how* these enclaves shape their residents' everyday lives.



**Map 2.1: Enclaves in the India-Bangladesh borderland (Source: Jones, 2009)**

It does so by exploring the everyday geography of enclaves. The everyday geography of the enclaves is essentially connected with enclave-host-home countries interactions. Hence, this thesis is also an investigation of the mundane interaction of politics, space, and law in the enclaves. Here, politics means a synthesis of different scales of political practices linked to the enclaves; such as bilateral and national politics over enclave exchange and access to the enclaves, local and embodied politics of exclusion. This includes the geography of individual enclaves and the geographies of border and borderland. Law functions as rule, power, and to some extent as extra-legal power of the involved states.

This research neither investigates the technical-legal aspect of *how* this border dispute should/could be resolved nor tries to intensively map onto *why* these enclaves still exist. This is not because those aspects are insignificant, rather because the aim here is to go beyond the conventional academic work (*see* Karan, 1966; Robinson, 1959) on state centric biography (origin, continuation and elimination) of an enclave, and to understand the politico-spatial-legality (PSL) from the enclave residents' mundane experiences. Trans-territoriality situates an enclave in a unique geopolitical entity; therefore, quotidian life in the enclaves can offer

multiple forms of politics, space, and law interactions. Although this thesis briefly touches on the history of the bilateral politics keeping the border disputes alive, for a general understanding of the Cooch Behar enclaves, the key focus lies on the impact such politics have the lives of people who belong to the enclaves.

In the last sixty-five years Cooch Behar enclaves' residents have been victimized by bilateral antagonism, initially between India and Pakistan and later between India and Bangladesh. This bilateral antagonism not only obstructed enclave exchange initiatives but also severely affected the enclave dwellers' communications with the main territory either side of the border. Each country occasionally demanded full access to its own enclaves, but is unwilling to allow reciprocal access to the other. As a result, neither country made a serious attempt to extend administration to the enclaves locked in one another's territory (Karan, 1966; Van Schendel, 2002). These people neither can enter into their mainland legally nor receive any state services. Hence, they are completely dependent on the mercy of their host country in terms of access, economic, health and educational services. As Reid (1992) mentions, if an enclave has only a single host state, it is totally at the host's benevolence. Here, and throughout the thesis, the host country means the surrounding country, and a home country is the country to which an enclave belongs and of which it comprises a part. Overall, the Cooch Behar enclaves are unadministered, disconnected from the home state by an international border, and devoid of any state facilities from either country (Whyte, 2002; Van Schendel, 2002, Jones, 2009). Thus, people in these enclaves are victims of state politics, trapped in the host country's sovereignty mechanisms and law (by law enclave dwellers need a visa to enter the host country) because of their geographic position. These are unique examples that deserve academic inquiry demonstrating the way mundane life is victimized between two nation-states.

Human consequence of the long existence of the Cooch Behar enclaves can tell us about everyday experiences, negotiations and victimization for more than half a century in a zone outside the state system. In this context, sovereignty over the enclaves is not contested, rather the home country has not established political and legal authority in these places and keeps the enclaves unadministered. A place outside the state system is unique in the contemporary world, and deserves comprehensive study. There are some other places including concentration camps, detention centres and refugee camps that are considered as places outside the legal system (Agamben, 1998; Minca, 2005; Gregory, 2006; Amoore & De Goede, 2008). However, the above mentioned extra-legal spaces are examples of excessive sovereign power; on the contrary, these enclaves suggest places with no legal sovereign mechanisms in place. Thus, sovereignty works in quite reverse way in these enclaves making them distinct examples. In the view of that,

this research develops an innovative and critical study of the enclaves in the context of postcolonial state formation in the Indian subcontinent.

This chapter has two key parts. In addition to describing the aim and research questions that shape this research, in the first part I will provide a brief narrative of the definition and global distribution of the enclaves. In the second part of this chapter I will provide a brief introduction to the Cooch Behar enclaves, including general information about the origin and historical process of keeping border disputes alive as well as unsuccessful attempts to resolve enclave issues. In addition to the unsuccessful attempts to the exchange issues, India-Bangladesh relations will be explored to provide a clear picture of foreign policy changes and bilateral politics affecting enclave exchange matters. The chapter concludes by outlining the structure of the whole thesis.

### **1. 1 Aim and Research Questions of the Study**

This thesis aims to investigate an everyday geography of the Cooch Behar enclaves through their day-to-day negotiations with the host and home states. Following Rigg's (2007: 10) formulation, an everyday geography of the enclaves will consider ordinary people, everyday actions and commonplace events that make up everyday life. In De Certeau's (1984:12) words everyday practices and ordinary languages are, 'an ensemble of practices in which one is implicated and through which the prose of the world is at work'. This 'theorizing up' approach (Rigg, 2007: 13) can help to bring out some fascinating insights to supplement existing scholarship on PSL interaction. The study will strive to understand law, space and politics by exploring the enclave, host country and home country interactions. Put differently, this thesis strives to understand what roles law, space and politics play in shaping everyday life in the enclaves. In doing so, I argue that everyday negotiations with the concerned states, and the trans-territorial setting of the enclaves can provide new insights into the way politics, space and law interplay.

Studying PSL relations, particularly, in the Cooch Behar enclaves is significant for two key reasons. Firstly, the geographic locations of these enclaves situate them in-between two legal systems. Therefore, the role of law is vital in everyday living. Secondly, it is the bilateral politics that determine the existence and elimination of an enclave. Together domestic and bilateral politics decide the status of an enclave; integration with the concerned states; and connection with the home state. Such decisions are also fashioned and practised by the legal system of the country and the geographic location of the enclaves. Therefore, politics, space and law have an overlapping influence on every aspect of life in these enclaves. To understand such impacts systematically, this thesis considers the enclave-host-home countries interactions.

The aim of the study will lead me to address four research questions and each research question is divided into sub-questions,

***1. How do politico-spatial-legal factors shape citizenship in the enclaves?***

- What kind of citizenship do both the countries offer to their citizens?
- What are the lived experiences of (non)citizenship in the enclaves?
- How do the enclave residents respond to the nature of citizenship they experience?

This research question explores the essential connections between an enclave and its home state through the enclave residents' lived experiences of (non)citizenship. Citizenship is the most powerful and distinctive feature of the modern political landscape, which constructs people's political, legal and national identity within the bounded space of the state (Brubaker, 1992). In exploring (non)citizenship in the enclaves, I approach it as a politico-legal and geographic identity of an individual, which designates citizen-state/government interaction through rights and responsibilities. Since there is no administration in the enclaves, I will explore whether Indian and Bangladeshi enclave dwellers are living in non-citizenship or they have some forms of citizenship in the enclaves. This research question can shed light on the way the legal rights of a citizen with his/her own country are experienced in a place, which is unadministered. Consequently, (non)citizenship experiences in the enclaves can demonstrate how the legal rights of people become tangled by another set of legal norms, those enforced by geographic isolation and political decisions. The thesis will also engage in the reactionary acts of the enclaves residents against the kind of (non)citizenship they have in the Cooch Behar enclaves.

***2. What role(s) do boundaries perform in everyday life in the enclaves?***

- How does the performativity of the physical boundaries affect everyday life in the enclaves?
- What roles do boundaries play in the enclave-home country connection?
- What roles do aspatial boundaries play in the context of the enclave?

Since these enclaves are located in the borderland, enclave residents either face a fenced international border or an unguarded but marked enclave-host country border. Borders operate within a complex system of meaning of harmonization, disintegration, regulation and reorganization (Sidaway, 2007). Therefore, it is the boundary that can best reveal the enclave-host country interaction. This research question explores the roles of physical/aspatial boundaries in the enclave residents everyday negotiations. Trying to cross both the international

borders in or through a foreign country (the host country) can cause legal actions against the enclave folks. Therefore, the law, border enforcement and illegal infiltration are the key concerns here. In addition, the borders are not only maintained by the state agencies. The Host country's citizens also construct a mental/abstract boundary with the enclave residents since they belong to a different nation-state. The imaginative construction of 'otherness' is another concern as Wilson and Donnan (1998: 12) argue that 'borders are complex and multi-dimensional cultural phenomena, variously articulated and interpreted across space and time'. This research question, thus, aims to look at the cross border movement, border control, social practices and state policy to understand the legal, extra-legal and illegal actions of the host country in shaping life in the enclave.

### ***3. What are the (il)legal-political vulnerabilities present in the enclaves?***

- What are the enclave-specific vulnerabilities constructed by the state agencies?
- What are the socio-political exploitations affecting enclave life?
- What are the gendered dimensions of vulnerability present in the enclaves?

This research question strives to understand diverse types of vulnerabilities that the enclaves' residents experience in their daily life. For this, I will examine the Indian and Bangladeshi state agencies' (border guards, administration, judicial system, emergency services etc) role in constructing vulnerability, helplessness and despondency in the enclaves. Since these enclaves are excluded from the state judicial systems by keeping them unadministered, these people are victims of socio-political violence constructed by political elites, gangs and mainland neighbours. This research question aims to understand the degrees of such violence and exploitation. Besides, some gender-specific violence and discriminations are generally directed to women such as sexual violence and different forms of patriarchy (Valentine, 1992; Pain, 1997; McEwan, 2000, Walby, 1990). The enclave women are more likely to become victims of these vulnerabilities. Thus, it is necessary to explore the gender dimensions of vulnerability in the enclaves to bring a nuanced understanding of the interconnected but diverse vulnerabilities that exist in the enclaves.

### ***4. What are the (il)legal survival methods adopted by the enclave residents?***

- How do the enclaves residents 'make do' using the legal procedures?
- What are the illegal methods of surviving in the enclaves?
- What are the hidden geographies of survival through the ambiguity of law?

The final research question connects with the enclave residents' attempts of survival and a desire for the advancement of life. Although everyday life is exposed to severe vulnerability,

people always trying to make their ‘way out’ in the enclaves. This research question explores the legal and illegal methods that the enclave residents use to beat the (il)legal obstacles in their everyday life. In addition, some enclave residents use the legal ambiguities as routes to their survival and advancement of life. It looks at a range of issues involving everyday tactics (De Certeau, 1984) and the temporal rhythms (Harris, 2000) of enclave life to understand what the enclave dwellers do for living and how do they manage to get by.

This thesis aims to contribute to the political geography of enclaves by providing an account of the politico-spatial-legality’s roles in shaping life in 80% of the world enclaves located in the India-Bangladesh borderlands. The systematic approach adopted in this thesis to study enclaves through the framework of PSL interactions is expected to advance enclave research. Throughout the thesis, I will show how the PSL approach is significantly important to understanding enclave-home-host states relations. In addition, each research question, explored in chapters 4, 5, 6 and 7, connects and adds new theoretical insights to the literatures on citizenship and abandonment, borders, bare life, and the rhythms of survival tactics. Thus, the thesis is not only important for the sake of enclave research but also contributes to political geography debates on the above mentioned themes. At the policy level, the thesis can help the policy makers understand the ground vulnerabilities and difficult life in the enclaves as there is very little government work available on enclave life.

## **1.2 Definitions and Global Distribution of the Enclaves**

### ***1.2.1 What is an Enclave?***

The term enclave first overtly appeared in the treaty of Madrid of 1526. Vinokurov (2007: 9) reveals that ‘the term ‘en-clave’ entered the language of diplomacy rather late in English, in 1868, coming from French, the lingua franca of diplomacy, with a sense derived from the late Latin *inclavatus* meaning ‘shut in, locked up’ and *clavis* meaning a ‘key’’. This Latin expression of *inclavatus*, although not in strict definitional or legal term, describes an encircled character or a fragment bounded by somewhat dissimilar. To articulate similar meaning, the word enclave is employed in disciplines including geology, law, economics, sociology, agriculture and land distribution, military science, and navigation (Vinokurov, 2007). A google search on enclave brought interesting general applications of the term; such as a fashion retailer named enclave claims its distinctiveness in contemporary fashion while a 3D action game enclave highlights a dominion of darkness encircling a territory of light. The diverse and extensive uses of the word enclave indicate the essence of the term has timeless utility.

While the sense of enclave is widely used, the focus on territorial enclaves is limited. The Oxford *English Dictionary* (OED, 1989) defines both enclave and exclave. A portion of territory separated from one state to which it politically belongs and entirely surrounded by alien dominions is an exclave from the viewpoint of the home country. On the other hand, it is an enclave from the viewpoint of the host country; therefore both the terms denote the same territory but the only difference is one's point of view. OED definition is similar to the legal definition of an enclave under international law (see United Nations Economic and Social Council, 1995). While the OED definition hints about one or multiple host state, the *Dictionary of Human Geography* (DHG) straightforwardly leads to a single surrounding country. Currently, there is only one example of multiple surrounding states that is Azerbaijan's Nakhichevan (Whyte, 2002). In addition to the disagreement of the number of host countries, there are disagreements over other characteristics of an enclave. Farran (1955)'s definition of a 'true enclave' is similar to the OED definition of an enclave that was later defined in Robinson's (1959) seminal paper as a 'normal enclave'.

Robinson (1959: 283, 285) provided the first geographic definition and classification of an enclave:

- Normal exclave- one country's territory completely surrounded by another;
- Quasi-exclave- those exclaves which for one reason or another do not in fact function as exclaves today;
- Pene exclave - parts of the territory of one country that can be approached conveniently, in particular by wheeled traffic-only through the territory of another country;
- Temporary exclave - created where what was one state has been divided by an avowedly temporary or provisional line; and
- Virtual exclave – areas treated as exclaves of a country but they are not an integral part of that country in strict the legal sense.

While Robinson (1959) states that an enclave should be entirely surrounded by another country, his classifications included diverse political fragments. Echoing Whyte (2002: 06), I also believe that his classifications, although much cited, are not 'rigorous' and cause ambiguity to distinguish enclave from non-enclave features. Fifteen years later Catudal's (1974) article appeared as a critique of Robinson's (1959) definition and classification. Catudal (1974: 116) precisely defines that for an enclave (exclave) to exist it must be (a) part of one country, (b) completely surrounded by the territory of another state'. By providing detailed illustrations of the misuses of the term in literatures, Catudal (1974) suggests that only a 'normal enclave' should be counted as an enclave and the rest of the classifications of an enclave should be considered as enclave-like geopolitical outliers despite exhibiting some degrees of enclave

characteristics. Catudal's (1974) clear definition and precise distinctions between enclave and other fragmented territories provide a nuanced approach to the conceptualization of the term. Amongst the recent literature, Whyte (2002) followed Catudal's approach and counted only the normal enclaves. On the other hand, Vinokurov (2007) extended Robinson's (1959) method of classification with the argument that research on only 'true enclaves' can leave a large number of cases having similar economic and political features unstudied.

Cooch Behar enclaves are 'normal' or 'true' enclaves and surrounded by only one host country; therefore there is no dispute with the definitional differences over those issues. The next subsection illustrates the global distribution of the enclaves, while chapter two reviews the literature on enclaves. For both purposes, I will follow Catudal (1974) and Whyte's (2002) approach to the definition of enclaves. The enclave-like sites and spaces are important and deserve equal attention on their own merit but that should be done separately. We need to distinguish an enclave from other fragmented territories because these fragmented territories have different aspects of international law; and thus have different realities to those in the enclaves. I believe a broad generalization including different types of fragmented territory can cause ambiguity and can deepen complexity in an already complex subject matter. A simple and straightforward definition is necessary for intelligibility of the term enclave. The interchangeable use of both the words enclave and exclave can create ambiguity and confusion. Significantly, the official documents in India and Bangladesh use the term enclave. Therefore, I will retain using the term enclave all the way through the thesis for clarity. Throughout the thesis, I will refer to a home state as the state to which an enclave politically and legally belongs; and a home state is the state that surrounds an enclave.

### ***1.2.2 Existing Enclaves of the World***

Today about 223 enclaves, 32 counter/sub enclaves and one counter-counter enclave exist in the world (Whyte, 2002). The term counter enclave means an enclave within an enclave. All the enclaves are located in West Europe, the former USSR and Asia, but the counter enclaves are mostly located in the Cooch Behar and Baarle enclaves (table 1.1). As mentioned, a great majority of the world's enclaves, almost 80 percent, are located in a small section of the India-Bangladesh borderland. On the contrary, only eight enclaves exist in Central Asia belonging to three states Kyrgyzstan, Uzbekistan and Tajikistan. In terms of area, however, this region contains a maximum share of total enclave area; such as Sokh is the largest enclave of the world with 236 sq. kms in area which alone is larger than the total area of the Cooch Behar enclaves (119 sq. kms). Considering the total number of population, Sokh, Vorukh and Dahagram are the three most populous enclaves in the world respectively. Although this thesis is about the quotidian life in the Cooch Behar enclaves, an understanding of enclaves in the rest of the world can hint at the distinct characteristics of the research area.

Table 2.1: World Distribution of the Enclaves (Source: Whyte, 2002, Vinokurov, 2007 and other sources)

Enclave name and location	Number of enclaves and counter enclaves	Home state	Host State	Total Area (km2)	Situation in the enclaves
<b>West Europe (32 enclaves and 7 counter enclaves)</b>					
Baarle-Nassau	1 enclave+ 7 cr enclaves	Netherlands	Belgium	0.15	Economic and social integration with both the involved states but follow the home country's law.
Baarle-Hertog	22 enclaves	Belgium	The Netherlands	2.34	
Vennbahn enclaves at Rotgen/ Monschau	5	Germany	Belgium	-	Economically linked with the host country, but politically and legally linked with the home country.
Llivia 912.48 (sq kms)	1	Spain	France	12.84	No problem since both the countries are EU members.
Busingen	1	Germany	Switzerland	7.6	Economic integration with the host country but politically and legally tied up with the home country
Campione d'Italia	1	Italy	Switzerland	1.7	Access to the host country's services and economic connection with both the states.
Jungholz	1 point connection	Austria	Germany	7	No problem with access, economic, political or social prosperity.
<b>Former USSR (13 enclaves)</b>					
San'kovo/Medvezh'e	1	Russia	Belarus	4.5	-
Bashkend	1	Armenia	Azerbaijan	-	-
Upper Askipara, & Barkhudarly	2	Azerbaijan	Armenia	0.06-0.12	-
Kiarky (north of Nakhichevan)	1	Azerbaijan	Armenia		-
Saravaksoi/Sarvaki-bolo	1	Tajikistan	Uzbekistan	8	Strict border, checkpoint accesses to the home country, economically impoverished, no integration with the host country, occasional isolation when conflict escalates on the borders.
Vorukh, & 'Kairagach'	1	Tajikistan	Kyrgyzstan	97	
Kalachcha, Sokh	2	Uzbekistan	Kyrgyzia	Kalachacha (<1), Sokh (236)	
Dzhangail', & Shakhimardan/Iordan	2	Uzbekistan	Kyrgyzia	-	
Barak	1	Kyrgyzia	Uzbekistan	-	
<b>Asia (178 enclaves and 21 counter enclaves and 1 counter counter enclaves)</b>					
UK's Dhekelia Sovereign base, Dhekelia power station (2), Ormidhia, & Xylotymbou	4	Cyprus	UK	-	-
Madha	1	Oman	UAE	75	-
Nahwa	0 enclaves and 1 cr-enclave	UAE	Oman	-	-
Cooch Behar enclaves	102 enclaves and 3 cr-enclaves and 1 cr-cr-enclave	India	Bangladesh	69.7	Strict border, complete isolation from the home country, no integration with the host country, no state facilities and unadministered.
Cooch Behar enclaves	71 enclaves and 21 cr-enclaves	Bangladesh	India	49	

Contemporary West European (WE) enclaves embody prosperity, solidarity and integration. The EU membership and regulations worked as a catalyst for free movement, access and economic prosperity in these enclaves; as such the EU regulations resolved French sensitivity over Llívia's access with its home country Spain (Vinokurov, 2007, Whyte, 2004; Hidden Europe, 2005). However, the EU integration and concerned states' constructive conciliation brought solutions to various enclave specific challenges. For example, Germany and Switzerland negotiated 130 years for Büsingen's integration with Swiss customs zone resolving its economic challenges (Geluwe, 2003). In general, social and economic integration with the host country helps these enclaves prosper economically while a legal tie with the home country maintains undisputed sovereignty. Campione d'Italia enclave residents use the host country's health system and currency (Hidden Europe, 2005); people in the Baarle enclaves use the home country's service networks, and law but are linked with the host country in other aspects of life (Gemeenten Baarle-Nassau, n.d; Smith, n.d). Amongst the world enclaves, the Baarle is the most complex enclave zone. The enclaves' borders in Baarle follow a capricious course leaving many roads, houses and firms partly in the Belgian territory and partly in the Dutch. To its extreme, it is not rare in Baarle for a couple to share the same bed but in fact to sleep in a different country (Baarle-Hertog, n.d; Geluwe, 2003: 2). To reduce legal complicacy, each house is deemed to follow the public provisions and law in the country where its front door is located.

However, such productive engagement between the host-home states is almost nonexistent for the Central Asian (CA) and Cooch Behar enclaves. The geographic reality in the Cooch Behar enclaves is, somewhat, similar to the Baarle enclaves. While Baarle is a unique example of a special arrangement, for a municipality to function in between two different state systems, the Cooch Behar enclaves are victims of the concerned states politics and restrictions on access to either country. Both the enclave complexes, thus, experience completely reverse behaviour from the states involved. In a comparative study between Baarle and Cooch Behar, Whyte (2004) asserts on the attitude to national sovereignty, and economic similarity's role in making them different from the Cooch Behar enclaves. It is the state of bilateral relations between the involved countries that decides that the degree of sovereignty can be compromised to let an enclave function normally.

The 1990s brought gradual integration for the WE enclaves, while the CA enclaves were undergoing a siege. The open border was replaced by the militarization of borders from 1999 following the Uzbek policy, including partial militarisation, strict check posts and barbed wire-fencing, which severely affected the enclaves in the region (Megoran, 2005; Reeves, 2006; Megoran, 2004). The complex hostility surrounding the enclaves is also manifested through Uzbek emplacements around Sokh and Shakhi-Marden enclaves, killing people and livestock as they strayed into minefields (Megoran, 2002). The geo-strategic locations of the CA enclaves'

and ethnic differences sometimes trigger local tensions, border closures and violence. Nevertheless, enclave people exert resistance. If Sokh inhabitants become victims of checkpoint closures, they block the road across the enclave, the one used by the host country's citizens. In addition, Barak, the Kyrgyzstani exclave in Uzbekistan, folks launched a protest march to Osh as a response to the four year closure of the Uzbek border. The border securitisation, bilateral hostility and ethnic differences lead to local conflicts, simultaneously hindering the economic prosperity of these enclaves, making it risky to live in the enclaves.

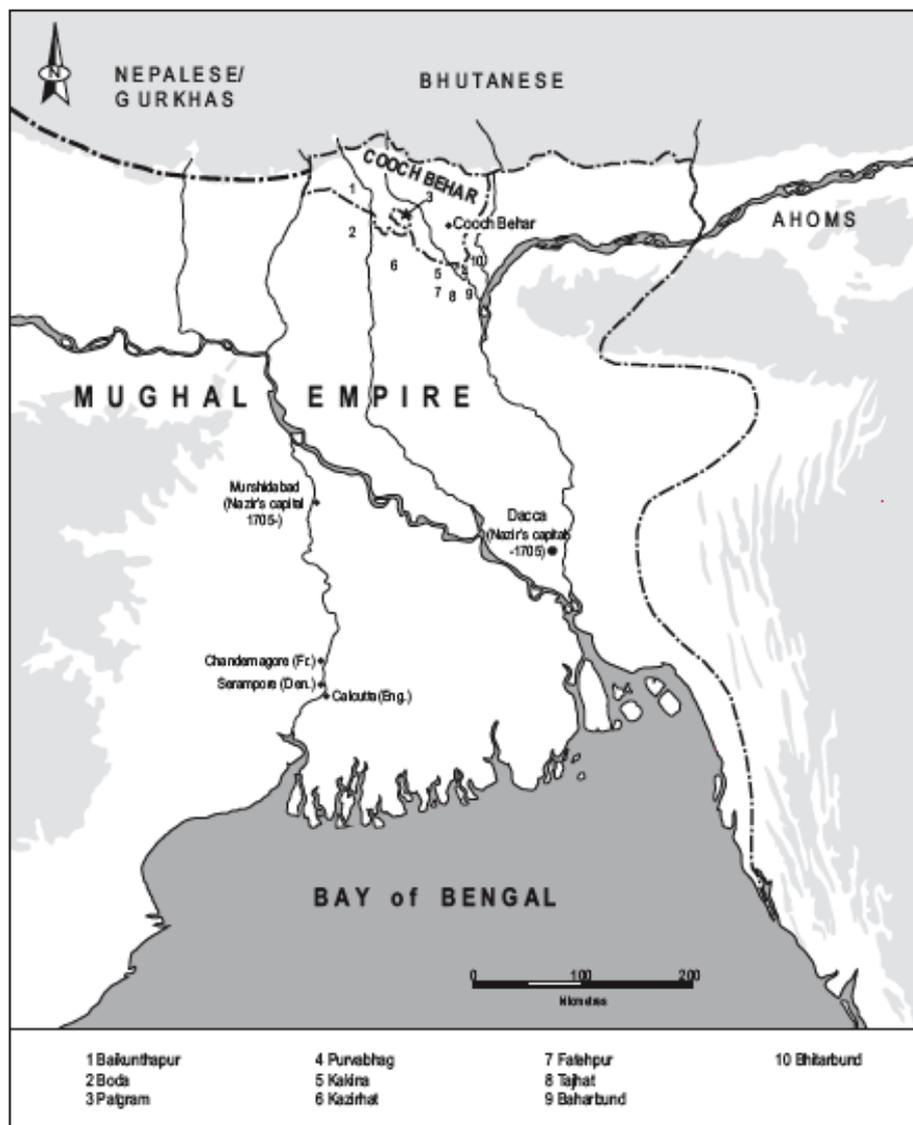
The above discussions suggest that the enclaves of the world are not only very diverse in terms of number, size and population but also diverse in their function and prosperity. The limited availability of information regarding some other enclaves limits this analysis within the West European, Central Asian and Cooch Behar enclaves. The WE enclaves represent success and integration, but the CA enclaves are caught in conflict and hostility; and Cooch Behar enclaves symbolise isolation and abandonment. In this context, the CA and Cooch Behar enclaves have some similarities in relation to the experiences of borders and surveillances imposed by the states. In addition, enclaves in both regions are victims to hostile relations between the home and host states. Although CA enclaves face many challenges, their connection with the home country is not denied. Significantly, the Cooch Behar enclaves are completely isolated, unadministered and exist beyond any state services, which makes them distinct from rest of the world's enclaves.

### **1.3 The Cooch Behar Enclave Facts**

#### ***1.3.1 Cooch Behar Enclaves in a Pre Nation-state Era***

A few interesting stories exist about the formation of these enclaves, including the gambling habits of the Kings of Cooch Behar involving betting with small parcels of land that resulted in the enclaves (Jones, 2009; Whyte, 2002). The true story reveals that these enclaves are the outcome of the war and peace treaties between the rulers in Bengal and Cooch Behar. In ancient India, north Bengal was in a strategic location (Map1.2); it worked as a gateway for the northeast to rest of the Bengal. All these factors shaped this region as a frontier for centuries between the Gangetic Indian states, Hindu and Muslim, the Tibetan Buddhist theocracy and the Assamese kingdoms (Whyte, 2002). On the other hand, current Cooch Behar was a Coch kingdom during 1510-1515 lying close to north Bengal. The name Cooch Behar first appeared in the Shah Jahan Nama in the mid-1600s (Majumdar, 1977). Mughals in Bengal fought a few wars with Cooch Behar from 1661 and they conquered one-third of the kingdom. The origin of the Cooch Behar enclaves is linked with the peace treaty of 1713. Whyte (2002: 31) provides details of the forming of enclaves in that region,

The Mughals were unable to dislodge some of the more powerful Cooch Behar chieftains from lands in the chaklas of Boda, Patgram and Purvabhag... after the treaty of 1713, the lands still held by loyal Cooch Behar chiefs within the chaklas remained part of Cooch Behar, though detached from that state and enclaved in the newly-Mughal lands. Conversely, disbanded Mughal soldiers had occupied lands inside the remainder of Cooch Behar, and the Maharaja was unable or unwilling to either dislodge them or enforce his sovereignty over those lands, so that the soldiers retained their fealty to the Mughal Empire and the lands they occupied became Mughal territory, although detached from it and enclaved inside Cooch Behar.



Map 1.3: Cooch Behar through history. 1713- after the final Mughal-Cooch Behar peace treaty (Source: Whyte, 2002)

The peace treaties in 1711 and 1713 between the kingdom of Cooch Behar and the Mughal Empire were marked as an ending of a long series of wars (Mitra, 1953, iii-iv; Banerjee, 1966). To safeguard the honour of all concerned, the peace terms did not require withdrawals (Karan, 1966). They continued as before during the British rule, when the princely states were autonomous. The creation and survival of enclaves in pre-partition time had no impact on everyday life in the enclaves except on the enclave residents' tax payment and land registration; these were different to the region. In this time, there was one initiative in Bengal in 1932 to exchange the enclaves for administrative benefits; however they had to abandon the plan due to strong local opposition (Letter 3272, in Hartley, 1940, 140, see Appendix 1-17 in Whyte, 2002; Letter 2949-Jur, in Hartley, 1940, 141, Appendix 1-17 in Whyte, 2002). Although the rationale behind such opposition is unknown, the enclave people, perhaps, benefited from their enclave status in British India.

### ***1.3.2 Cooch Behar Enclaves in Post-Partition Period: Access***

The decolonisation procedures created ambiguity over the enclaves' future in post partitioned India. The 3rd June Plan in 1947 restricted freedom for the princely states but provided the option to choose their destiny with India or Pakistan (Johnson, 1951). Cooch Behar took two years to choose the preferred nation-state and signed the 'Cooch Behar Merger Agreement' with India in August 1949. Since there was no indication of the future of the enclaves in the partition procedures, all these enclaves received international status following Cooch Behar's merger with India. Within a period of thirty-six days Radcliffe divided eighty million people and 175,000 square miles of land, which had been joined together in many ways for about one thousand years. Partition fragmented Bengal, where people were living in the same climate, soil, language, religion, customs and food. In addition, both were also highly dependent on each other economically, such as in the case of Hooghly-Calcutta which was the heart of Bengal as it was the only industrial zone of undivided Bengal where East Bengal produced raw material. Due to this fact and to a myriad of political pressures, the Radcliffe Commission failed to draw a geopolitically sound line, delineated and demarcated in accordance with accepted international procedure. The hasty and rather over ambitious partition procedure to demarcate the almost 4000 km long Bengal border ignored many issues including the enclave matter (Ahmed, 1953; Chatterji, 1999; Van Schendel, 2005).

Immediately after partition, the whole Bengal border experienced clashes, local tensions and violence. As Van Schendel (2002: 121) asserts, 'the new border became crucial site of foreign policy both reflecting inter-state dynamic and producing conflicts affected that dynamic'. All the bilateral negotiations were dominated by continual border disputes, clashes, national hatred and refugee problems leaving the enclave issue unattended. The first initiative to link enclaves with the home country was made under the 1950 agreement. This agreement provided access to the government officials to enter the enclaves belonging to their side. It was agreed on

conditions that (a) the host country should be notified two-weeks prior to any trip, and (b) officials would be escorted back and forth by the host country officials. Certain goods could be transferred into the enclaves following this process and tax was collected every six months (Van Schendel, 2002). However, the agreement was not implemented due to its complicated procedure and hostile India-Pakistan relations. It only considered access provisions for the officials but limited enclave residents' mobility outside the enclave; thus it could offer little competence for a normal functioning of the enclave even if the agreement was implemented.

Passport and visa systems were introduced in 1952, which, eventually, isolated the enclaves from their home country. According to the rule, a border could only be crossed at certain points with proper authorisation. There were only a few border crossing points along the main boundary; so that an enclave resident had either to make an illegal crossing into his own country near to his enclave, or make a long detour, entailing expenses and time, to one of the few crossing points (Whyte, 2002). The laws in both the countries, thus, criminalise any enclave residents' attempt to reach the home country. In effect the enclave residents' lost their voting rights after the introduction of passport/visas and strict border control in 1952 (Roy Pradhan, 1995, 2010). However, the 1953 passport conference agreement provided an option for special 'multiple entry visas' for the enclave people to travel both to the host and to the home country (Ministry of External Affairs, 1994-7). Although this option could be a practical measure incorporating the enclave folks into state facilities, it has never been implemented for obscure reasons.

Both India and Pakistan completely ignored the need of the enclave residents and gradually isolated them from the state provisions. Similar practices of administrative abandonment continued after the independence of Bangladesh. Only the largest Pakistani enclave of Dahagram and another contiguous enclave Angorpota, being less than 200 meters from the East Pakistan/Bangladesh boundary, were able to function with any degree of normality. These two enclaves were always in a good connection with the home country; perhaps the proximity and religious sameness (majority Muslim) were the key factors for such good connections. This relationship will be discussed in greater depth in chapter 5 (section 5.5). In last sixty-five years, neither country was sincerely willing to exercise sovereignty over the enclaves nor did they worry about the true human scale of the enclave problem.

### ***1.3.3 Anomalies over total Population and Number of Cooch Behar Enclaves***

There is no dispute about the total area and boundary of the enclaves. The boundary demarcation in the 1930s had clearly defined enclave-host country boundaries, where border pillars mark the boundary clearly. However, the number of enclaves situated in each other's territory varies greatly in research papers, newspaper reports and official survey (Table 1.2). The 1951 census is the only source of information on these enclaves but it is dated and not easily available to all. Therefore, unavailability of adequate statistics caused such variations. Brendan

Whyte's (2002) comprehensive research paper documents 106 Indian exclaves existing in Bangladesh and 92 Bangladeshi exclaves survive in India; these total include 3 Indian and 21 Bangladeshi counter exclaves inside the exclaves of the other country and the one Indian counter-counter enclave inside a Bangladeshi counter enclave. On the other hand, the official survey conducted by both the governments does not include the counter exclaves and counts 111 Indian exclaves located in Bangladesh and 51 Bangladeshi exclaves in India (The Hindu, 30 July 2011). Since neither country ever raised concern over the anomalies of the number of exclaves, this will not affect the exchange procedure. The counter-exclaves are unexchangeable land, as they are not counted in official statistics. The implementation of the exchange procedure will leave all land-holdings to the host country, the counter-exclaves, then, will be automatically eliminated.

**Table 1.2: Variations in total number of exclaves (compiled from various sources)**

<b>123 of India in Pakistan and 74 of Pakistan in India</b> (Deputy Minister of External Affairs, Mrs Lakshmi N. Menon in the Lok Sabha, 29 November, 1958, quoted in Bhasin, 1996, 1515-6)
<b>114 of India in Pakistan and 54 of Pakistan in India</b> (New York Times, 1965; High Commissioner for UK, Karachi, 1965a)
<b>130 Indian and 93 Pakistani exclaves in 1947</b> (Karan, 1966);
<b>130 Indian exclaves of which 8 were merged with Jalpaiguri in 1952 and 3 were counter-exclaves so not exchangeable, leaving 119; and 95 Pakistani exclaves, 21 of which were counter-exclaves and non-exchangeable, but 3 of these ceased to be counter-exclaves in 1952</b> (Banerjee, 1966);
<b>131 Indian exclaves, 119 being exchangeable</b> (Question by Roy Pradhan and reply by Narasimha Rao in Lok Sabha, 20 August 1981, quoted in Bhasin, 1996, 802-3)
<b>119 Indian and 73 Bangladeshi exclaves</b> (Narasimha Rao in Lok Sabha, 30 April 1982, quoted in Bhasin, 1996, 815);
<b>111 Indian and 51 Bangladeshi exclaves</b> (The Daily Star, 1999; The New Nation, 1999).

**Table 1.3: variations in total number of population in the exclaves (adopted from Whyte, 2002)**

<b>150,000 Indian chhitmahalis estimated, 80% Muslim and 20% Scheduled caste or tribe</b> (Roy Pradhan, 1995, 4; Lok Sabha, 1996; Namboodiri, 1996a; Maheshwari, 1998)
<b>200,000 Indians</b> (Bose, 1997)
<b>At least 50,000 Indians</b> (Tapan Sikdar in both of Calcutta Online, 1998; Mukarji, 1998)
<b>200,000 Indians</b> (Roy Pradhan in Lok Sabha, 1999; New Nation, 1999a)
<b>450,000 chhitmahalis total</b> (Daily Star, 1999b)
<b>500,000 chhitmahalis total</b> (Daily Star, 2001a; Islam 2001)
<b>1,000,000 Indian chhitmahalis</b> (Centre for Development Activities, 2001b, 3)
<b>1,500,000 Indian chhitmahalis</b> (Centre for Development Activities, 2001b, 16)

The total number of people in the exclaves also varies considerably in different statistics. The first census on the exclaves was conducted in 1951, which shows 9,470 people living in the

enclaves in India and 13,064 people in the enclaves in Bangladesh (Population Census, 1951). Since there was no other census conducted in these enclaves until 2011, prediction over the number of enclave residents brought astonishing ranges of estimation (table 1.3). The table shows huge variation and confusion about the total number of the population.

According to a joint census conducted sixty years after the previous one 51,000 people live in the enclaves in both sides of the border (The Hindu, 2011). These statistics also sound unrealistic when laid down in comparison to the general population growth rate in those districts in India and Bangladesh (See Whyte, 2002; Jones 2010). Significantly, the total population in Dashiarchora, the third largest enclave located in Bangladesh, is 9,510 according to a survey conducted by the India Bangladesh Enclave Exchange Co-ordination committee (Mustafa, 2010). This indicates that the official census tried to keep political sensitivity low to reduce statistics and hide the large number of people who are in demand of new citizenship or rehabilitation in the home country if the exchange procedures are implemented. It is perhaps to convince the West Bengal state government because they raised the concern that all enclave residents in Bangladesh would seek rehabilitation in India (The Hindu, 07 September 2011).

## **1.4 Factors behind Cooch Behar Enclaves' Extensive Existence**

The Cooch Behar enclave problem, perhaps, is the most neglected and enduring international dispute in comparison to any other bilateral issues materialised in India and East Pakistan/Bangladesh since the partition in 1947. This section expands on *why* the enclave exchange proposals were unsuccessful; and then focuses on the impact of India-Bangladesh relations on the enclave exchange question.

### ***1.4.1 Jinxed Enclave Exchange Proposals***

#### ***1.4.1.1 Nehru-Noon Agreement of September 10, 1958***

Negotiations on the enclave exchange commenced from 1953. Although the initial talks were stalled on West Bengal's (WB) demand for compensation on net areal loss, the negotiation continued. In 1958 the two prime ministers, Jawaharlal Nehru and Malik Firoz Khan Noon, signed an agreement to resolve some border disputes between India and Pakistan. The issues on India-East Pakistan border included few disputes over demarcation, exchange of the enclaves and Bagge<sup>1</sup> Tribunal decisions. This agreement settled exchange of the enclaves along with two propositions, including no compensation for India's net loss of area, while enclave dwellers'

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<sup>1</sup> The Bagge Tribunal was created immediate after partition while certain land and rivarine boundary disputes arose out of interpretation of the Radcliffe award (see Ahmed, 1953).

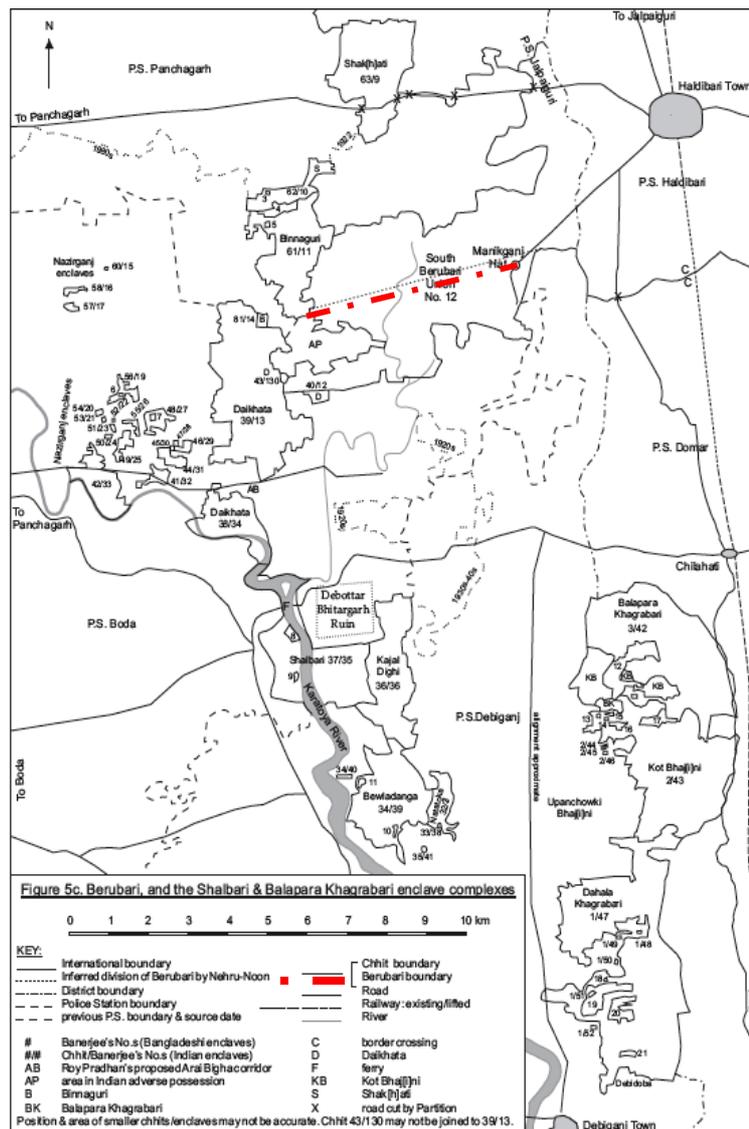
nationality should be ranked with the host country (The Nehru-Noon Agreement of September 10, 1958). The agreement technically resolved the enclave problem but its implementation required ratification followed by a constitutional amendment.

Both of the prime ministers, however, failed to persuade the politicians at home that the agreement was the right resolution to border disputes. Immediately after the agreement was signed, martial law emerged in Pakistan, the Parliament was dismissed and the constitution was abandoned (Whyte, 2002). These events made it easy for Ayub Khan, the then administrator of martial law, to ratify the agreement without any opposition. In contrast, Nehru faced unprecedented opposition from the WB state government over the resolution on a segment of the border, Berubari, where Radcliffe's interpretation was flawed. To demarcate the border at this point, the agreement decided to divide Berubari Union (lower administrative unit) into two equal parts horizontally, the southern part going to Pakistan (map 1.3). The main concern on Berubari was that it was one of the several areas where the WB Government had funded for resettlement schemes for refugees from East Pakistan. It can be argued that the WB opposition was political marked by popular emotions following the damage of partition (Appadorai, 1981). In addition to the Berubari opposition, the exchange of the Cooch Behar enclaves' procedure was criticised on the decision to seize Indians' citizenship by the term that enclave people have to embrace host country's citizenship upon exchange of the enclaves (Bhasin, 2003; Appadorai, 1981). The concern over India's net territorial loss was in the anxiety list as well.

The controversy over whether the Berubari division was a cession of territory took the matter to the court. The Supreme Court verdict considered that both the Berubari transfer and enclave exchange involved cession of territory; and thus needed a constitutional amendment. Without delay, the Government of India drafted two bills (i) the Constitution Ninth Amending Bill to deal with the cession of territory, and (ii) the Acquisition of Territories Bill to deal with the territories acquired by exchange. The bills were passed with an overwhelming majority in December 1960 (Appadorai, 1981). However, Central Government's immediate amendment of the constitution allowing a cession of Indian territory, especially to Pakistan, was deplorable to many Indians (Bhowmick, 1960).

While the Indian central government showed genuine interest in the early implementation of the agreement, the WB Assembly unanimously adopted a special resolution reiterating its opposition to the transfer of Berubari Union to Pakistan (Appadurai, 1981). Significantly, however, there was a series of court cases filed against the central government on the Berubari issue, delaying the implementation of the agreement for a decade. Such a long delay from the Indian side galvanised resentment in Pakistan declaring that they would not exchange the enclaves until Berubari was divided (Whyte, 2002). A decade after the constitutional amendment, India managed to resolve all legal hurdles. However, by then, it was Pakistan's

domestic unrest, the declaration of East Pakistan's independence followed by war that postponed the implementation of the long fought 1958 agreement. Some parts of the agreement were quietly implemented which did not involve territorial secessions or annexations (Bhasin, 1996: 1519-20). The Berubari issue hijacked attention away from the key agendas of the agreement including exchange of the enclaves. Thus, an agreement that triggered fierce domestic political debates and faced several court cases for a decade was never fully implemented jeopardising the enclaves' exchange future.



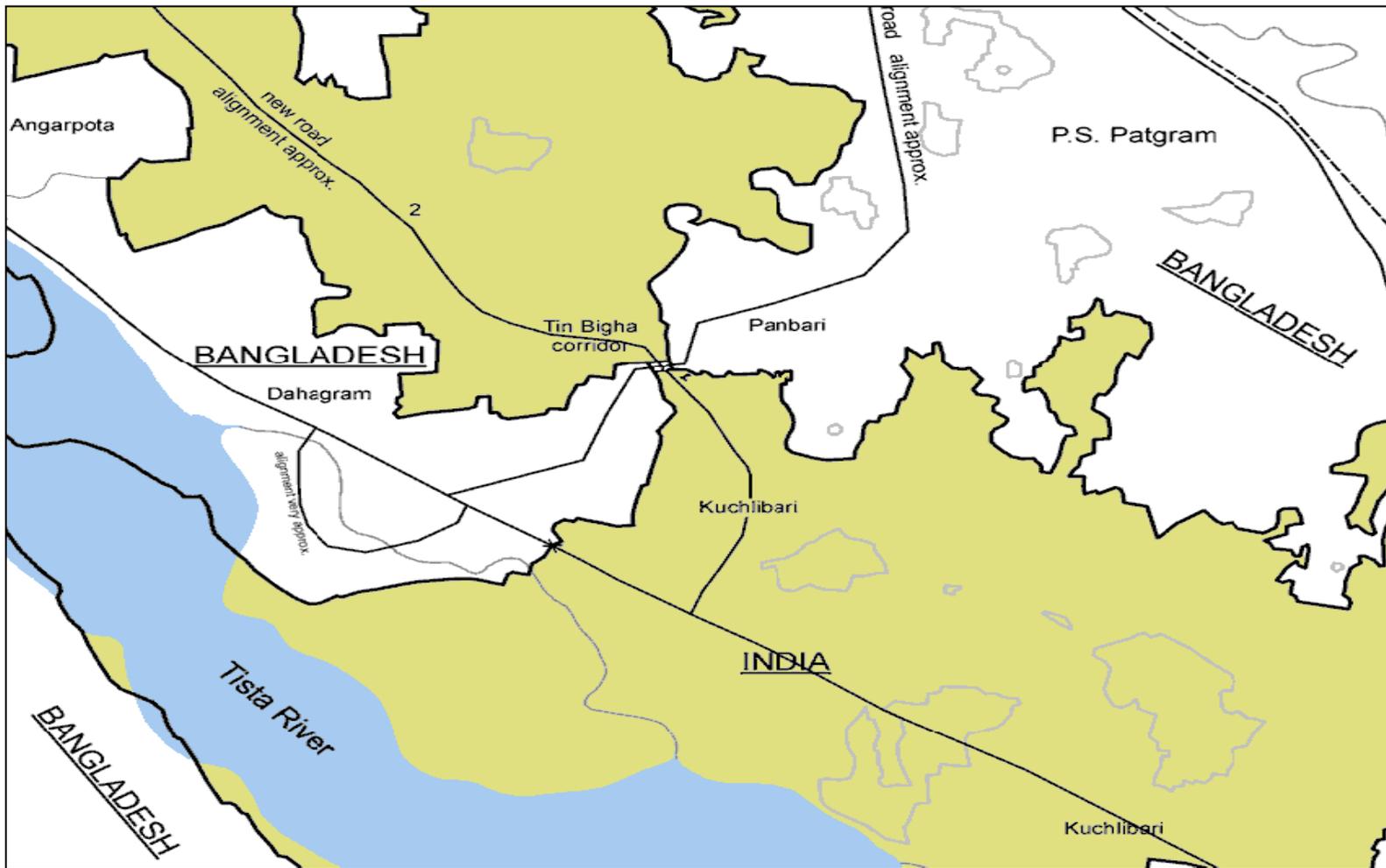
**Map 1.3: The Berubari and proposed India-Bangladesh border (Source: Whyte, 2002, highlighted the proposed border in red).**

#### 1.4.1.2 The 1974 Land Boundary Agreement (LBA)

After the independence of Bangladesh in 1971, Bangladesh inherited all the East Pakistan- India border disputes. In a very friendly relation, both the countries signed a fresh land boundary agreement that addressed all border disputes. The 1974-LBA is the second scheme towards the

resolution of all border disputes, the exchange of the enclaves and the Berubari controversy. The enclave exchange options appeared more enclave inhabitant friendly in this agreement than the 1958 agreement by providing a 'citizenship choice' to enclave residents during the time of exchange. The 1974-LBA accentuated expeditious exchange of the enclaves (Article 1(12) LBA, 1974). A resolution to the Berubari controversy emerged in this agreement. After the political row over Berubari, India wanted to exchange southern Berubari with Pakistan in exchange for *an equal or about an equal quantum of* territory but Pakistan did not agree (Bhasin, 2003a, emphasis added). After Bangladesh's independence, Indira Gandhi made a similar approach to Bangladesh and Shekh Mujib, the then Bangladeshi Prime Minister, agreed to exchange Southern Berubari with the largest and Muslim majority enclaves of Dahagram and Angarpota in return (map 1.4). Since the two enclaves were not contiguous to the Bangladeshi mainland, India made the offer attractive and acceptable by proposing to lease a 187×85 sq metre corridor in perpetuity to access those enclaves, known as the Tin Bigha Corridor (Article 1(14) LBA, 1974; Bhasin 2003). Therefore, article 1 (12) & (14) of Agreement 1974 has endorsed this exchange.

Like the 1958 agreement, this agreement was subject to ratification. The agreement supposed to be implemented by 1974 was delayed by a case filed in Bangladesh challenging the cessation of Berubari and strong opposition in the Parliament against the cessation of territory (see Whyte, 2002). It was almost the same situation that Nehru faced after signing the 1958 agreement. However, Bangladesh resolved the disputes very quickly and ratified the agreement in November, 1974 and left control over Southern Berubari; however India never ratified the agreement. This was due to the assassination of Shekh Mujib in August, 1975 creating hostile India-Bangladesh relations. In the changed political circumstances, India declined to ratify the agreement and exchange the enclaves until the border demarcation and Adversely Possessed Land (APL) issues were entirely resolved (Bhasin, 1996; Sikri, 2010; Whyte, 2002). In contrast, India amended its constitution to ratify the 1958 Agreement prior to completion of the demarcation. Though the Nehru-Noor Agreement took only two years to be ratified by the constitutional amendment, unfortunately, the 1974-LBA agreement has not seen the day. Therefore, the delay in ratification is related to bilateral politics and not to legal constraints. The issue of unproductive bilateral relations will be discussed in greater depth in next section. Although the 1974-LBA provided the impression that all the enclaves would be transferred within a few years, regrettably, it took almost 20 years to resolve the Dahagram case alone. India took two decades to lease the Tin Bigha Corridor to Bangladesh, which created distrust and antagonism between the countries. It eventually came into effect on 26 June, 1992. Bangladeshis have access to Angorpota and Dahagram through the corridor on alternate hours during the daylight period, subject to mutually agreed modalities, but its sovereignty remains with India (Press Briefings, Ministry of External Affairs, Government of India, 26 June, 1992).



Map 1.4: Dahagram and Tin Bigha corridor (Whyte, 2002)

#### *1.4.1.3 The Land Boundary Protocol, 2011*

To break almost four decades of deadlock over border disputes, the third and recent initiative to resolve the enclave problem was taken in September 2011. A Land Boundary Protocol (LBP) was signed after the technical decision on the undemarcated segments of the border and APL. As announced by the official press release, there was high hope on enclave elimination during the recent Indian Premier's visit to Bangladesh in September 2011. However, the visit did not eliminate the enclaves but signed a protocol demonstrating the strong will to exchange the enclaves without mentioning any specific timeframe (The New Age, 07 September 2011; The Hindu, 07 September 2011). Like the 1974-LBA, this protocol is subject to the parliamentary approval. Therefore, the exchange procedure is still hanging in uncertainty. Undeniably, this agreement is a landmark progress from the previous agreement as it resolved demarcation and APL disputes. Thus, it met the Indian prerequisite to exchange the enclaves. Now the protocol needs Indian parliamentary approval for the ratification process. Nevertheless, the agreement seems a rushed and less enthusiastic effort without any time-line. Neither the protocol nor the state officials provide any time scale for the ratification or implementation of this agreement. The bilateral political approval of the protocol is accomplished but the material execution is still undecided; thus the enclave residents' fortune still exists in limbo. It is imperative mentioning here that the context of the 1958 agreement and this protocol is quite similar, as such Indian central government is keen to resolve the problems with Bangladesh but the WB state government's opposition leaves international agreement and enclave exchange in limbo.

### **1.5 India Pakistan/Bangladesh Relations and the Enclave Issue**

A careful look at the evolution of the foreign policies of India and Bangladesh can better explain how the bilateral relations affected the enclaves and the rest of the border issues. Predominantly, the way in which each has figured in the changing foreign policy framework of the other is the fundamental element in India-Bangladesh relations. Since Independence, India's aspiration to become a regional power has shaped its foreign and defence policy. To accomplish its desire, India has followed both neo-realist and liberal institutional approaches during different regimes. Waltz (1979) defines *hard power* as a power that enables regional powers to influence their neighbours and to protect themselves from unexpected outside interference. Hard power policy adopts military intervention, coercive diplomacy and economic sanctions with the aim of implementing national interests through ensuing confrontational policies vis-à-vis neighbouring countries (Campbell and O'Hanlon, 2006; Cooper, 2004; Wagner, 2005). In contrast to this, the liberal institutional approach, or *soft power* strategies, emphasises the ability to persuade or attract others to do what one wants (Nye, 1990). India's hard power policy

constructed tough relations with Bangladesh keeping all key disputes alive including the enclave issues.

The Nehruvian policy of India, designed by India's first Prime Minister Nehru, denotes India's own interests only and neighbours received less attention. As I. P. Khosla (2005: 25) quotes, 'good neighbourliness as such is not an Indian foreign policy goal ... the tendency is to take things for granted with the neighbours so that it can pursue the broader foreign policy goals'. In effect, Nehru's South Asia policy was a mix of *hard* and *soft* power strategies (Wagner, 2005). A hard-line South Asia policy materialised in 1970s when Indira Gandhi became Prime Minister, after the death of Nehru. The Indira doctrine claims that the neighbours have to accept the reality of the power differential: that they will not and cannot be equal in their dealings with India (Munshi, 2006; Khosla, 2005). It followed the hard power strategy to enforce neighbours to act, as India wants them. India wanted to act in all its neighbours' domestic conflicts while an outside power interference was considered as a threat to India's security interests (Hagerty 1991). These ideas laid the foundations for India's military interventions in Sri Lanka in 1971 and 1987 to 1990, and in the Maldives in 1988. Although Indian foreign policy experts like Dixit (2004) justify 'Indira's Indocentric interest of foreign policy' as a need of the time, India's hard power strategies of the 1970s and 1980s created a deep-seated mistrust towards India's intentions among the smaller neighbours.

During the Indira's regime in India, Bangladesh's foreign policy went through radical changes. As mentioned, Indira Gandhi decisively supported Bangladesh's independence. Immediately after Bangladesh's independence, both the countries commenced friendly relations with a friendship treaty concerning peace and security, 1974-LBA, and two trade agreements. The friendship treaty gave India a say in Bangladesh's foreign and security policy, further strengthening India's dominant role in the region. At the international level, Bangladesh expanded its relations with the Soviet Union, a close ally of India during that time. On 15 August 1975, the assassination of the then President of Bangladesh and the protagonist of the Awami League (AL), Shekh Mujibur Rahman, in a military coup created hostile Bangladesh-India relations. Immediate after the coup, successive governments replaced friendly relations from the India-Russia bloc with the US-Pakistan and Islamic world (Lifschultz, 1979). Such divergent shifts in Bangladesh's foreign policy created anxiety in India. On the other hand, to balance India's influence and hegemonic role, time and again Bangladesh's policymakers have sought to develop ties with powerful countries outside the region, such as the defence tie with China.

India and Bangladesh's foreign policies had significant impacts on all bilateral disputes, particularly on enclave matters. The Nehru doctrine did not always stick to hard policy and ratified the 1958-boundary agreement despite massive domestic apprehension. On the contrary,

the Indira doctrine did not ratify a similar border agreement she signed with Bangladesh in 1974. In fact, the provision of ratification was not necessary to implement the 1974-LBA, as Bhasin, (2003: ixix) specifies,

The Indian Constitution gives full powers to the executive to enter into agreements and there is no provision for parliamentary approval either for an agreement to come into force or ratification where the same has been provided for the agreement.

The reluctance over legitimising an international agreement signifies her foreign policy objective to keep disputes alive with the neighbour who had chosen to leave the India-Russia block. From the Bangladesh side, more rhetoric took place, rather than making any concrete proposal to resolve the disputes. Consequently, bilateral relations were shaped by various contentious issues like illegal immigration into India, supporting India's terrorists, the corridor to Dahagram or the question of the Farraka dam in West Bengal, that threatened the industrial and agricultural development of Bangladesh (Bhasin, 2003; Ahmed, 2008). All these issues overshadowed the enclaves' exchange matters. While control over newly emerged chars broke out in 59 inclusive gunfights between the border guards (Van Schendel, 2005) and the controversial Indian annexation and military control over Purbasha island clouded bilateral relationship (Hossain, 1981), neither country showed interest in extending sovereignty over the enclaves.

The 1990s was a remarkable decade for both Indian and Bangladesh's politics. India's aspiration to become a world power forced it to make a liberal approach to the neighbours' in 1990s. The then Prime Minister Gujral emphasised that India should value her small neighbours interests and concerns (Gujral, 1998). The idea of the Gujral doctrine, noticeably, echoes a soft power strategy by offering economic gains for all players in the region. Such an accommodative approach materialised few India-Bangladesh treaties. On the other hand, Bangladesh achieved her democracy in 1990. The first elected democratic government in Bangladesh was the right wing party, the Bangladesh Nationalist Party (BNP). However, India did not apply such accommodative policy with Bangladesh at the time because of India's political party preferences, as relations turn to cold if this party forms the government in Bangladesh (Rashid, 2005; Yasmin, 2004). Although, the corridor and Dahagram issues were partially resolved at this time; the Gujral doctrine, however, worked very well with Bangladesh after the left wing party, Bangladesh Awami League (AL), was back in power during 1996-2001. The signing of the Ganges Water Treaty, and the signing of a peace accord could only happen in this period (Yasmin, 2004). Although bilateral relations were friendly, neither side took any scheme resolving the enclave exchange matters. However, Dahagram's alternative hour connection with Bangladesh was replaced with twelve hours uninterrupted access. The negligence over the rest

of the enclaves' exchange was, probably, because those enclaves' residents are not voters and unable to contribute in national elections.

The relationship between the two countries again became unfriendly following the beginning of the BNP's term in power in October 2001 while the Bharatiya Janata Party (BJP) was in power in India. Coincidentally, both of these parties had respectively had anti-Bangladeshi and anti-Indian agendas during their general elections. Therefore, bilateral relations were again marred by border incidents, illegal immigration and heated debate over sheltering militant groups. However, Indian allegations of the Bangladesh government's support for Al-Qaeda prevented a minimum level diplomatic correspondence for three years; relations have somewhat improved only since the Congress-led government took power in India in 2004 (Sikri, 2006; Singh, 2009). Since then, several joint security measures have been approved to curb cross border terrorism, insurgency, smuggling and trafficking as common threats to security (The New Age, 27 August, 2006; The Daily Star, 18 September 2004). It is worth noting that the key agendas in any bilateral meetings always find the enclave issues at the bottom of the list; and India had the same old stand on the full demarcation of border before ratification of the 1974-LBA leaving the enclave exchange future uncertain.

Almost thirty-five years after, Congress in India and AL in Bangladesh are in power. The same combination of the regimes previously signed the 1974-LBA in a friendly neighbourhood policy. Such relations are apparent in this time as well; both the head of the states announced in early 2010 to resolve all border disputes in a year. Dramatically, the technical committee and Joint Boundary Working Group (JBWG) resolved all disputes over undemarcated border within a year that was not possible for a decade. This indicates that it was not technical issues rather the political will to resolve this dispute. It is also imperative to note the background of the signing of this protocol as an indication of the bilateral ardour on enclave elimination. This agreement was signed in a bilateral talk full of tension, bargain and mysterious secrecy. The announcement of the enclave exchange, signing of water sharing treaty and Bangladesh-northeast India transit treaty were the key agendas to be signed during Indian PM's visit to Bangladesh in 2011. This time it was the WB state government that forced the Indian PM at the last minute to pull out from signing the water sharing treaty and dispute over the boundary agreement. The first hand press release circulation immediately before the talk between two foreign ministers excluded border agreement; however, the meeting ended with a protocol without any time frame (Daily Prothom Alo, September, 07, 2011). This protocol can be considered as a face saving formula for India as the country pulled out from the key agenda just before Indian PM's visit. As the WB state government is not interested in enclave exchange, the ill-fated enclave residents again find themselves as victims of Indian domestic politics.

The above discussion suggests that these enclaves' prospects are largely victimised by erratic bilateral relations, domestic politics, and frivolous exchange initiatives by both states involved.

The disagreement between the central and provincial government in India shows inconsistency, what Appadorai (1981:192) mentions as the ‘federal element in foreign policy decisions’. In many cases, the transfer of an enclave is considered as a loss of territory to an enemy Muslim state (Whyte, 2002; Van Schendel, 2005). A complex combination of the above-mentioned factors has kept the enclave problem maintained as a live issue for the last sixty-five years. In such a complex set of circumstances, it is very difficult to predict when these issues will be resolved. Traditionally, it takes years to get a bilateral agreement but implementations of them follow a geologically slow process.

## **1.6 Thesis Outline and Conclusion**

The final section of this introductory chapter outlines the thesis structure including the themes to be analysed in subsequent chapters. This thesis relies on theories and approaches within geography, political science and anthropology. However, the basic intellectual context nevertheless is political geography. This research focuses on the multi-dimensional interaction of PSL in the enclaves through four key themes; citizenship and abandonment, border, vulnerability and survival tactics. The overlap between all the themes enables the research to draw upon multiple interpretations. For example, (non) citizenship, vulnerability and survival methods in the enclaves are intrinsically linked to the India-Bangladesh border or citizen/foreigner binary. This thesis is divided into eight chapters; four of them are empirical. While the key theoretical chapter connects the themes with the PSL interaction between the enclave-home-host states, each subsequent empirical chapter builds upon and takes forward this theme of PSL interaction. These chapters are connected with the central arguments, while each chapter will provide a separate intervention into the debates regarding the type of citizenship, the performativity and social construction of borders, vulnerability of being enclave residents and survival tactics. With the above-mentioned themes, this study maps onto the everyday geography of enclaves.

This introductory chapter has explained the aim and research questions in which this thesis begun, while Chapter 2 illustrates the theoretical basis of this thesis. This chapter has three key considerations; firstly why an enclave study is important in political geography. Secondly, it provides an approach to study an enclave systematically; and, finally it expands on how everyday research can contribute to the political geography of an enclave, providing an understanding of the interaction between the PSL interactions. Using a literature review on the state of enclave research in political geography, I will argue the necessity of studying an enclave to understand the political geography approaches from the enclaves’ ground reality. This can provide an empirically informed theoretical consideration. Unpacking the importance and relevance of PSL interaction as an approach for a systematic study of enclave and its communication with the involved states, the theoretical connections between each theme within

PSL will, then, be extensively illustrated in four empirical chapters. Chapter 3 describes the research methodology that constructs the empirical basis of the theoretical argument. This chapter provides an account of the research process and how the aim and research questions are reconsidered and modified as the research developed over the course of fieldwork.

The first empirical chapter, chapter 4, explores the dynamics of (non)citizenship in a trans-territorial setting. The actuality of citizenship in the enclaves will be analysed with the written rights of the individuals in India and Bangladesh and how those rights and responsibilities are practised in the enclaves. Drawing upon the debates of abandonment (Agamben, 1998), and citizenship, this chapter explicitly stresses how legal definition of citizenship is practically absent in the enclaves. This chapter explores how trans-territoriality and different levels of legal boundaries and bilateral politics constitute a situation of abandonment while there are moments of transient citizenship. In addition, enclave residents perform acts of citizenship (Isin & Nielsen, 2008) as part of their citizenship aspiration. Therefore, this chapter brings a complex ground reality of non-citizenship, transient citizenship and citizenship aspirations.

Chapter 5, then, examines the *where* of borders in the context of these enclaves. It enables us to see how much the border, in any form (physical or symbolic), enhances or restricts the pursuit of a decent life in the enclaves. Like Agnew (2008), I consider the border as equivocal in its effects on the borderlanders everyday life. Following Passi (1996) as well as performativity of the border (Salter, 2008), I am looking at the meaning of boundaries in the construction and reproduction of social life and the everyday performance of international border in enclave life. With such analysis, this chapter looks into the chaotic and contested bordering process of the fifth largest land border in the world.

Chapter 6 focuses on the vulnerability that is reciprocally constructed by (non)citizenship and border enforcement. The discussion exposes the multiple nuanced interpretations of vulnerability experienced in the enclaves; such as vulnerability of abandonment crafted by the state agencies, socio-political vulnerability and gendered vulnerability. Extending upon Agamben (1998), I reflect on the above mentioned vulnerability and argue that these vulnerabilities construct a dimension of bare life in the enclaves. With the examples of multiple experiences and exposure to vulnerability in the enclaves, this chapter suggests a broader interpretation of bare life and vulnerability is needed in this scholarship to understand the vulnerability in the enclaves. Unlike the general consideration of bare life as limit case, these enclaves show survival and making life workable. Enclave life not only epitomises great vulnerability but also symbolises continued existence of life and interest for advancement. The last empirical chapter, then, explores the diverse survival tactics that exist in the enclaves.

The methods of living in these enclaves will be explored in chapter 7, while the rest of the chapters outline the ways state and system affect everyday life. This chapter focuses on the

enclave residents' acts of survival and rhythms of life using De Certeau's (1984) concept of tactics and Harris's (2000) formulation of the rhythms of everyday life. A combination of both of the theoretical approaches, I will explore the tactics enclave dwellers employ to survive and the rhythms of enclave life can tell how they continue life with the success and failure of the tactics on a day-to-day basis. With the diverse examples of adaptation, sneaky encroachment in the system, this chapter shows individual, multimodal and heretical actions of 'making life functioning' in the enclaves. This chapter also demonstrates the involvement of multiple agencies' in the whole process such as the encroacher and their contacts in state-system. To understand the complex process of encroachment, this chapter argues that it is necessary to consider the function of the multiple agencies alongside the dynamics of the power relations between the encroachers and the authority. The eighth chapter summarises the thesis, raises new theoretical arguments and explores some of the resulting questions and areas of further study.

Finally, I would like to end the chapter with a remark from one of my respondents, Kiron Bormon (male enclave resident, aged 65; field note 23 March, 2010), '*I know you are too small to pursue the governments to end our sufferings. Can you at least tell them the unknown stories of our unbearable life?*'<sup>2</sup> Although the thesis has theoretical considerations and a disciplinary overview, the following chapters endeavour to reveal the hidden geographies (Rajaram & Grundy-Warr, 2007) of everyday unbearable enclave life.

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<sup>2</sup> Throughout the thesis I will use the convention of italicising quotations from my fieldwork notes and interviews. Quotes cited from any published sources will not be italicised.

## **Political Geography of an Enclave through the Lens of Politico-Spatial-Legality**

### **2.1 Introduction**

This chapter aims to (i) review the state of enclave research in political geography and other disciplines, (ii) highlight the importance of studying an enclave in the sub-discipline of political geography and (iii) propose an approach to systematically studying the international enclaves. Under international law, an enclave, as defined in the previous chapter, is a portion of territory completely surrounded by another country so that it has no surface communication with the home country (United Nations Economic and Social Council, 1995). As the definition illustrates, an enclave is a particular type of geopolitical feature in some borderlands. However, such a remarkable geopolitical unit, surprisingly, has received only occasional academic attention. In political geography, scholars have focused research on territory (Agnew, 2002; 2003), territorial integrity (Elden, 2005; 2006), territory and territoriality (Cox, 2003), state (Flint, 2003, Law, 2003; Painter, 2006), sovereignty (Sidaway, 2000; 2003), law and geography relations (Blomley, 1994; Blomley *et al*, 2001; Holder & Harrison, 2003), boundary and borderland (Passi, 1996; Newman, 2006; Sidaway, 2007; Salter, 2008; Megoran, 2012). Yet until recently, only a few political geographers paid attention to what an enclave can offer to these political geography debates. With this background, this chapter and the whole thesis aim to contribute to the political geography of enclaves in general and Cooch Behar enclaves in particular in relation to politico-spatial-legality interactions.

An enclave is a politically created and trans-territorially located legal entity; therefore, any systematic study of an enclave needs to consider politics, space and the law's interlinking impact on the enclave. In this chapter, I advance enclave research by proposing a politico-spatial-legality framework to understand enclave-involved states' relations on two levels. Firstly, involved states' negotiations, national political decisions and international legal arrangements decide the political future and spatio-legal arrangements of an enclave. Secondly, everyday enclave life connects individual negotiations, legal rights and physical/abstract boundaries between the enclave-host countries depending on local politics and geographic location of the enclaves. A combination of both processes constitutes complexities in the

politico-spatial-legal conditions of an enclave. Providing an account of everyday politico-spatial-legality (PSL) in the context of 80% of the world enclaves—that is, Cooch Behar enclaves—this chapter argues that politico-spatial-legality can bring a systematic and rich picture of the political geography of enclaves. This chapter sets out the theoretical outline, and the rest of the thesis will proceed to an in-depth analysis of the impacts of the PSL interactions in everyday enclave-host-home countries interactions in the Cooch Behar enclaves.

## **2.2 ‘Enclave’: A Neglected Term in Political Geography Vocabulary**

In a century long history of political geography, the enclave has received only minor attention. Although, border and borderland are the key political geography focus, only a handful of studies have deeply explored enclaves. Here, I concentrate on the state of enclave research in political geography and other disciplines. As clarified in the previous chapter (section 1.2), I define an enclave is a territory of one country which should be enclosed by another country. Other political fragments that exhibit degrees of enclave characteristics will be considered as enclave-like outliers following Catudal’s (1974; 1978) terminology. Therefore, the true enclave (Farran, 1955; Vinokurov, 2007) or normal enclave (Robinson, 1959) will be considered as an enclave. And, the pene, quasi, virtual, temporary, paired, and semi enclaves, and enclaved and semi enclaved states (*see* Robinson, 1959; Vinokurov, 2007) will be considered as enclave-like outliers. Such ranges of classification can cause ambiguity. In this context, I am in favour of a clear definition and straightforward application of the term as Catudal (1974) and Whyte (2002) advocate. Enclave research sharply falls into two distinct periods, and a barren decade of enclave research during 1980s with no publications at all (Vinokurov, 2007). Origin of the enclaves has diverse reasons; such as the West European enclaves were found in the feudal system of the early Middle Ages (Smith, n.d; Geluwe, 2003). Many of the enclaves came into existence during the decolonisation and new boundary formation process after World War II, which provided some academic interest in enclaves specifically in political geography and law. Although the Cooch Behar enclaves have a feudal origin, these enclaves became international following the decolonisation of India in 1947 (*see* chapter 1, section 1.3). Almost 120 states have emerged since World War II as a result of decolonisation (95 states), federal disintegration (20 states) and secessionism (2 states) (Christopher, 1999). In addition, federal disintegration occurred mostly after the split in Russia that brought into existence the Central Asian enclaves (*see* Megoran, 2002; Vinokurov, 2007). On the other hand, the Llivia enclave emerged from errors during boundary delineation (Vinokurov, 2007: 89).

Early literatures on the enclaves, or enclave-like geographies such as Berlin, Germany generally focus on their origin and survival located in Europe (Whittlesey, 1933; Robinson, 1953; 1959). These involved research on individual case studies, definitions and classifications of enclaves. Amongst these literatures, Whittlesey’s (1933) brief paper on Spanish quasi-exclave Val

d'Aran looks at its origin and continued survival. From a theoretical aspect, Robinson (1959) developed the first classification of enclaves based on different degrees of isolation from the home country, functionality and legality. Although Melamid's (1968) short article is not theoretically innovative, this paper illustrated the geographical distribution of enclave and enclave-like outliers across Europe and Asia. However, Melamid's (1968) geographic distribution excluded the Cooch Behar enclaves. A decade later, Catudal's (1974) paper and later his book (1979) advanced enclave research in two specific ways. Firstly, it precisely distinguished the enclave from enclave-like outliers based on the enclave's legal definition; this was an important effort to provide clarity and definitional precision in enclave research. Secondly, it is an attempt to date to systematically study the world's enclaves. Unlike scholars at that time, Catudal's (1979) book is based on field research in the Dutch Baarle-Nassau, Belgian Baarle-Hertog, Spanish Llívia, Italian Campione and German Büdingen; although his brief account on the Cooch Behar enclaves is largely borrowed from Karan's (1966) short article. Despite Catudal (1979) mentioning enclaves in different regions, his central focus is limited to European enclaves. Enclaves have also been studied from a legal aspect, such as Raton (1958) concentrated on various modes of disenclavisation, legality and status of enclaves in Europe (Vinokurov, 2007). Raton's (1958) analysis concerns on the legal issue and sovereignty matters between enclave-home and host states (Vinokurov, 2007); therefore, Raton (1958) contributed to enclave literature by exploring the practical aspects of functionality of an enclave.

Whether an enclave or a corridor can cause problems or provide a solution to disputes at the time of boundary making is briefly highlighted in Reid's (1992) book *Canada remapped: how the partition of Quebec will shape the nation*. Drawing on partition, enclave and corridor formations in parts of Europe, Reid analysed the potential outcome of post-confederation Quebec. If Quebec is partitioned, there will be small enclaves in West Quebec, the Gaspé and the Eastern Townships (Reid, 1992:117). Refreshingly, Reid (1992: 119) finds that enclave is not a problem as he suggests, 'Most Canadians and Quebecers do not realise that enclaves exist, and function well, on the North American continent and around the world'. In the 2000s, enclave research received more attention and the mode of analysis included enclave residents' perspectives alongside the administrative view of origin and survival. The magazine *Hidden Europe* (2005) points out various legal complexities and consequential arrangements between the home and host states of the European enclaves. It concludes by arguing that many enclaves survive because the countries involved have amiable relationships. Although academic writing is rarely in English, the West European enclaves have their own websites updating enclave specific events. On the other hand, the Central Asian enclaves are much younger considering other enclaves' origins; they appeared in the regional maps in the 1990s. However, the enclave issue only appears as part of border literature on Central Asia (*see* Megoran, 2002; 2005;

Reeves, 2006) or in the newspaper reports. Megoran (2002) reflected on enclave issues as part of nationalism in post-Soviet Fergana valley conflicts. *A theory of Enclave* by Evgeny Vinokurov (2007) is a good effort to deal with all the enclaves around the globe in terms of providing a definition, classification and pursuing commonalities amongst the enclaves and enclave-like outliers. Vinokurov's classification of the enclave is largely borrowed from Robinson's (1959) classification but endeavoured to include marine enclaves and 'enclaved sovereign states'. The book is rich in its bibliography, strong in literature review including multi-lingual literatures and insightful in its exploration of various enclave-like outliers. I will critically address a number of his formulations in a later part (section 2.5) of this chapter.

Academic curiosity over enclaves is on the rise in recent times but the trend is to define various geopolitical outliers as enclaves; such as Gibraltar, Gaza, Kaliningrad and so on<sup>3</sup>. One interesting example is the special issue of *Geopolitics* on enclaves in 2010 included case studies of Gaza, ethnic enclavisation in Kosovo, Gibraltar and Kaliningrad, but which did not include any enclave. *Boundaries and Borderlands: Political Oddities at the Edge of the Nation-States* provides rich examples of complex realities at the border zone with the examples of corridors, enclaves and enclave-like outliers and disputes over borders. The volume is rich in content and individual case studies but there are shortcomings in the book. The introductory or concluding chapter of this edited book could profitably compare and contrast how differently border contestations, corridor or enclave constitute life and places on margin. In addition, designating enclaves, corridors and other complex geographies of bordering as the 'oddest looking borders' (Diener & Hagen, 2010: 190) implies that borders are naturally neat and problem-free except in these few places. As McConnell (2011: 112) aptly puts it, 'the value-laden term 'oddy' can be (mis)read as demeaning and trivialising the everyday lives and politics that are enacted in these spaces'.

### ***2.2.1 Literatures on enclave-like geopolitical outliers***

Interestingly, diverse theoretical and empirical in-depth research is done more on enclave-like geopolitical outliers than enclaves. West Berlin was a popular enclave from academic curiosity. For instance, Robinson (1953) describes the West Berlin exclave from origin, political and economic aspects; Timm (1998) explores the social biotope behind the Berlin wall; and Hoerning (1992) looks into the discrimination of the mobility from mainland to West Berlin. These studies reflect the geopolitical importance of Berlin at that time. Recent literatures

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<sup>3</sup> In this thesis I excluded these fragmented territories from the definition of enclave for the following reasons: Gibraltar is neither entirely surrounded by Spain nor is it landlocked; rather it is one of the fourteen British Overseas Territories. Foreign and Commonwealth Office defines Gibraltar as British Overseas Territories. For detail see [www.fco.gov.uk](http://www.fco.gov.uk). Similarly, Kaliningrad is not completely surrounded by a foreign territory. Significantly, the relation of an enclave to its state is of a legal nature; however Russia lacks *de jure* sovereignty over Kaliningrad (Krickus, 2004; Diener & Hagen, 2010).

provide diverse dimensions linking wider social and political theories such as identity transformation, enclavisation without forming enclaves and subjective experience of geopolitical construction of space. Stefan Berger (2010) explores the transformation of collective identity from German to Russian over time through the Russian political and economic processes in Kaliningrad. In contrast, Gold (2010) explores the Gibraltarian identity formation with a clear detachment from the neighbouring larger territory of Spain. A historical account of the ups and down of the geopolitical importance of the Gibraltar and the long twists between Britain and Spain over shared sovereignty never led to Spain controlling Gibraltar. Furthermore, Gibraltarians are culturally more linked to Britain because of the ‘habit of a British attachment’ (Gold, 2010: 380). Fascinatingly, Kaliningrad and Gibraltar offer contrasting processes of identity formation. Providing rationales to think of ‘Gaza’ as a self-governed enclave, Hasson (2010) makes an impressive contribution in scrutinizing many meanings of ‘Gaza strip’ to the different factions of Palestinian and Israeli communities. The heart of this article is to explore how do the Israelis and Palestinians perceive and conceptualise the opposing view of victim and enemy in Gaza. A huge amount of work has so far been done on Gaza but this is the only piece of work considering the enclave circumstances at Gaza.

An alternative new perspective of enclavisation is examined by Dahlman & William (2010), who illuminate how the enclavisation of Serbian settlement in Kosovo is providing geopolitical challenges to the state formation in Kosovo. It is a cluster of ethnic Serbian minorities close to the Serbia-Kosovo border. However, they powerfully produce a Serbian sub-state with the sponsorship of Serbia; and extensively use Serbian language, follow a parallel Serbian administration and change street names to post-socialist heroes and produce. Hence, these enclaves are clearly central to the conflicting geopolitical interest of Serbia and Kosovo. Dahlman & William (2010: 414) exemplify explicit forms and functions of the enclavisation, ‘as a set of practices by which ethnicity and territory are mobilised to constitute *de facto* sovereign territories that respond to ethnopolitical movement’.

In this section, I separately discussed literature on enclave and enclave-like outliers to avoid ambiguity and complicated classification; however my aim is not to imply that an enclave is more important than an enclave-like outlier. Although academically unexplored, there are opportunities to compare enclave and enclave-like features since they have different political and legal realities. The renewed interest on the enclave-like outlier reveals that these sites and spaces can offer new insights on diverse identity formation, geopolitical place making, and securitisation and sovereignty paradoxes. Enclave research can also advance following this trend. Understanding the Cooch Behar enclaves from perspective of nationalism (Van Schendal, 2002), sovereignty (Jones, 2009) and statelessness (Jones, 2010), as will be discussed in the next section, is a welcoming move; however, such initiatives are absent in other enclaves’ contexts. As Sidaway (2011) calls for an in-depth research on border/bordering within wider

social and political theory to understand the changing configuration of social, political and the border, I believe this emphasis applies to enclave research as well.

### **2.3 Cooch Behar Enclaves in Literature**

The Cooch Behar enclaves' issues are not only ignored by the involved states but also in the academic literature. For example, a French lawyer, Farran (1955) mentions the Portuguese enclaves in India, but surprisingly, disregarded the existence of Cooch Behar enclaves. This is one of the early literatures written from an international law perspective and sheds light on the legal impediments surrounding international enclaves' functioning. His empirical information concisely touched on many enclaves and enclave-like features at that time across the globe. He only mentioned, 'there were also enclaves of British India surrounded by native states' (Farran, 1955: 294). Cooch Behar enclaves became international five years before the paper was published, however. Similarly, Robinson's (1959) article picked up brief illustrations of enclaves scattered around the globe except the Cooch Behar enclaves. However, he had the wrong conception about the geographic distribution of the world's normal enclaves; as he mentions, 'Normal exclaves are not common. They occur in four places, all are in Europe' (Robinson 1959: 283). Conversely, more than 200 Cooch Behar normal enclaves in Asia came into existence during the eighteenth century. Karan's (1966) short paper, published in *The Professional Geographer*, introduced the Cooch Behar enclaves to western readers. Karan (1966: 23), in his brief paper, argues that these enclaves as a territorial arrangement affect bilateral relations between India and Pakistan. He rightly suggested that a resolution of the enclave problem is unattainable until the basic attitudes within India and Pakistan are changed. Banerjee (1966), Banerji (1969) and Van Schendel (2002) provide almost the only specific information on the Cooch Behar enclaves across the span of literature (Whyte, 2002: 13). The literatures on the Cooch Behar enclaves generally fall in the traditional trend to explore origin and survival of these enclaves (see Majumder, 1965; Karan, 1966; Whyte, 2002).

Another approach, more instrumental, considers merely how these enclaves cause border management problems, with such sites being used for the flourishing of criminal activities, smuggled items, or hideouts (Krishan, 2001; Chowdhury, 2003; Jamwal, 2004). Some work has been done by Bangladeshi and India researchers with particular focus on mentioning border management problems from their respective sides. A few other authors consider these enclaves as the hide out for the criminals, terrorists and a problem for border management. For example, a study by Jamwal (2004), who is a Border Security Force (BSF) official, highlights various dimensions of management of the India-Bangladesh border, including initiatives from the Indian side such as border fencing and catching illegal immigrants. The paper highlights the domestic factors in Bangladesh affecting Indian security.

As part of problems securing the border Jamwal (2004: 25) considers,

Enclaves become convenient points for smuggling, avoiding customs and excise duties, importing of contraband, and are a point of entry for illegal aliens. Enclaves pose a problem of a peculiar nature. Since police cannot enter the enclaves, the local heads act as per their whims without attracting any retribution from either country. People from Indian enclaves in Bangladesh have already migrated to India — either due to sale of their land or to escape persecution. Bangladeshi criminals are taking shelter in these enclaves.

Jamwal offers only an imaginative nationalistic assessment of India's border management problems in relation to enclaves, ignoring the reality on ground. However, my fieldwork in the Indian enclaves found the majority enclave residents are not the original enclave inhabitants but rather came to Cooch Behar by exchanging land with those original enclave residents. Chowdhury (2002) also briefly illustrates how Bangladeshi border guards face problems managing borders because of the continual existence of the enclaves. They neither mention nor analyse what issues and concerns are involved with everyday enclave life. Quite contrary to Jamwal's (2004), account, Amar Roy Pradhan (1995), the Indian Federal MP for Cooch Behar from 1977–1997, articulates the ground realities of vulnerability in the Indian enclaves in Bangladesh. To raise Delhi's attention to implement the 1974-Land Boundary Agreement, Roy Pradhan (1995) created a pamphlet documenting the incidents of robbery, violence and extortion against the Indian citizens in Bangladesh. Although from a nationalistic perspective, local researchers (Das, 1992; Chaki, 2007; 2009) in Cooch Behar irregularly contribute in the local magazines about the problems Indian enclave residents face in Bangladesh. In this context, the local researchers are more interested in the Dahagram and Aangorpota (D&A) enclaves and Tin Bigha Corridor matters than the other enclave issues.

Dahagram enclave's complex geographic reality, political struggles over the Tin Bigha Corridor attracted research interests on this enclave (see Cons, 2012; in press). Cons (2012) draws on the notion of belonging to understand the political struggles between 1974–1992 for the opening of the Tin Bigha Corridor. He convincingly shows the histories of Dahagram and the role of local communal politics and struggle over territory by the Muslim enclave dwellers to secure and actualize political membership of Bangladesh. In another paper, Cons (in press) explores 'community-making' and boundary production between different groups in Dahagram enclave in pre and post corridor periods. In both the papers, Cons (2012; in press) claims that understanding Dahagram through the concepts of statelessness is inadequate to explain the political struggles to claim belonging in nation-state and intra-community boundary formations. He mentions 'broad categories such as "statelessness" and "exception," which tend to flatten the experience of life in borderlands' (Cons, in press: 12) rather argues, 'I make a case for complicating, which is not to say denying, narratives of exclusion that have become central to

studies of those living at the margins of state and nation' (Cons in press: 02). While he acknowledges the narratives of exclusion, Cons' (2012) account obscures the role(s) of exclusion in community-making and boundary productions between different groups in Dahagram enclaves.

Some other literatures briefly touched on the enclave factors as part of discussion on central-federal government decision-making conflicts or border problems. Some important legal matters and Indian constitutional aspects appeared in Appadorai's (1981) book *The domestic roots of India's foreign policy, 1947–1972*, and in Bhasin's (2003a) introductory chapter in *India-Bangladesh relations: documents 1971–2002*. Neither of these books are centrally focused on enclave matters but Appadorai (1981) clearly portrays the context and consequences of the Nehru-Noor Agreement. And, Bhasin (2003a) critically reflects on the stages of the enclave exchange—signing the agreement, ratification and constitutional amendment—and argues that over emphasis on the ratification is not the key part of the implementation of exchange rather it is the constitutional amendment.

In comprehensive empirical and archival research on Cooch Behar enclaves, Brendan Whyte's (2002) work traced the origins of these enclaves, mapping the enclaves' accurate locations and explores why they still exist. His study reveals how the wider hostilities between India and Pakistan, and later India and Bangladesh, found an easy target in the enclaves, which came to be seen as a physical embodiment of the more abstract concept of territorial integrity. Whyte's (2002) research paper wonderfully does what it intended to do but falls short in articulating a rich picture of everyday life in the enclaves. In another paper, Whyte (2002a) compares the Baarle and the Cooch Behar enclaves from the viewpoint of governance, nationalism, national laws, incentives and economy. Vinokurov (2007) describes the Cooch Behar enclaves as part of pursuing commonalities amongst the world enclaves; however his account on Cooch Behar enclaves relied heavily on Whyte's (2002) empirical evidence and adds little on enclave life. Although Whyte's (2002) research provides a glimpse of enclave life, none of these literatures explicitly consider everyday survival and vulnerability when residents live in-between two nation-states.

Van Schendel's (2002) unique piece on statelessness of the Indian and Bangladeshi enclaves articulates the enclave residents' perspective. Van Schendel's piece is unique because this article shows how social life in the enclaves evolved while earlier literature on enclaves are highly statist. Through this he challenges dominant discourses of the nation-state and connects identity and nationalism in the space where the nation-state's territorial contiguity is in question. Rabbani (2005) examines the socio-economic perspectives of these enclaves. This MA dissertation is rich in empirical materials illustrating economic deprivations, land disputes, unavailability of education and social exploitations in the enclaves in Bangladesh. However,

Rabbani's (2005) account is overly descriptive and lacks in-depth analysis. Jones (2009) conceptualises 'displaced sovereignty' with the examples of these enclaves. Displaced sovereignty, as he aptly defines, challenges two criteria of the traditional definition of sovereignty such as the existence of the enclaves undermining the conception of the 'unambiguous connection' of a sovereign territory. And, the movement of the enclave dwellers in the host country displaces the notion of the sovereign authority over a territory and its people. Like Van Schendel (2002), Jones (2009) portrays enclaves' residents' non-citizenship and imagined nationalism. However, the consequences of non-citizenship and everyday political, legal and social vulnerabilities are not explicitly present in Jones' account and the research is based on the enclaves in only the Bangladesh side. In another paper, Jones (2010) articulates the everyday statelessness in these enclaves. It is a rather more generalised account of everyday in enclaves that is based on interviews in the Indian enclaves in Bangladesh.

In this context, by exploring everyday human impact in-between two nation-states, this thesis contributes to India-Bangladesh enclave literatures through a systematic study of the enclave dwellers day-to-day negotiations with the host and home country and through understanding the politico-spatial-legality's impact on enclave residents based on in-depth ethnographic field data. Significantly, this thesis brings to ground realities of enclave life based on the enclaves' dwellers everyday experiences in both Indian and Bangladeshi enclaves. So far, only Van Schendel (2002) and Whyte's (2002) research counted enclaves on both sides of the border. Since their origin, the survival and everyday life of enclaves are intrinsically linked to both the involved countries; therefore a nuanced understanding of enclave life needs an in-depth understanding of enclaves in India and Bangladesh.

## **2.4 Why Study Enclaves in Political Geography?**

Minghi (1969) very briefly touched upon the importance of studying enclaves as part of boundary research in political geography. He identified enclaves as a specialized type of boundary zone characterised by an unusually high degree of cross-boundary circulatory pressure (Minghi 1969: 155). However, enclaves not only characterise cross-boundary circulatory pressure, they mark the political limits or political authority. On the other hand, Vinokurov (2007) identifies two major reasons to study enclaves: from the enclave dwellers perspective and from the host and home country's perspective. The first aspect might look into the enclavity in terms of access, governance and isolation. The second aspect might be the enclave's influence in bilateral relations or the bilateral relations' influence on the enclave. Alternatively, an approach connecting these two aspects, the enclavity and the enclave factor in bilateral relations of the involved countries, can also offer stimulating insights of the enclave. Prescott (1978: 192) emphasises, 'the principal interests in boundaries of any political geographer relates to the way in which a boundary or frontier influences both the landscape of

which it is a part and the development of the policies of the states on either side.’ He did not mention enclaves but such a statement is applicable to enclaves. Variations in political systems amongst the countries where enclaves are situated and where they belong are often accompanied by variations in regulations concerning economic, political and security aspects of life. All these aspects link a state’s functions with the boundary functions and can influence the cultural landscape. Hence, a connection and contradiction amongst geographical locations, political factors, and enclave dwellers political actions create diverse scenarios that are perceptible from existing case study literatures on enclaves. Enclaves can be a thorn in the side of bilateral relations between neighbouring countries and vice versa as has happened for the Central Asian or the Cooch Behar enclaves. Similarly, enclaves and their actors engage in forms of international relations (Taylor, 1995). Consequently, multiple actors from different levels of political organisations create complex interactions with space and social relations in the enclaves, which provide important contexts for the study of enclaves. As Minghi (1969: 156) invites ‘more attention to the normal situation in boundary research’, I would add that more attention on the normal situation in ‘unique class of spatial-political object’ of borderlands like enclaves could supplement political geography.

Research on enclaves can offer new and alternative research avenues and insights to various approaches in political geography. Traditionally the state is one of the key research areas in political geography (Flint, 2003; Low, 2003; Robinson, 2003). Various forms and functions of the states are important political realities that attract political geographers (Häkli, 2003) as well as there is a tradition to assess and sketch out how and why territories link states to their populations through authority, legitimacy and surveillance (Robinson, 2003). In this line of argument, Murray Low vigorously claims, ‘whatever else political geographers write about; states have to have a certain ‘de-centered centrality’ in their concerns’ (Low 2003: 625). Research on enclaves can contribute to the conceptualisation of forms and functions of the states, as the existence of an enclave constitutes a non-contiguous notion of a state and the state functions in fragmentation. Gottmann’s (1973) argument explores the significance of territory through territorial sovereignty that depends on the technology, opportunity and access to land. Enclaves can bring new and alternative insights from the viewpoint of territory and territorial sovereignty to think about why some countries have an interest in governing their enclaves and not others. This can provide an important contribution towards the significance of territory.

A critical gaze of sovereignty in the enclaves can also enrich the political geography of state and sovereignty research; as such Jones (2009) conceptualises displaced sovereignty from the perspective of Cooch Behar enclaves. The conventional view of sovereignty in modern political theory considers absolute political authority exercised by a state over a given territory (Agnew, 2005). There are alternative conceptualisations of sovereignty from the perspective of graduated (Ong, 1999), tacit (McConnell, 2009), multiple and overlapping sovereignty (Grundy-Warr &

Yin, 2002). In addition, Sidaway (2003: 174) reflects beyond the binary of more/less sovereignty or presence/absence of differentiated sovereign power, it is essential to have 'contextual understanding of different regimes, apparatus, expressions and representations of sovereignty'. Different expressions of sovereignty can be understood from an enclave's perspective; enclaves located in different regions (Western European, Central Asian or Cooch Behar) exhibit different types of sovereignty practices under different regimes. An enclave can be studied to understand the boundary making and decolonisation practices and postcolonial conflicts and disputes over border and enclaves. Minghi (1963: 420) highlighted the importance of studying this frontier landscape and considers enclave study as by definition 'studies of the effects of boundary'.

The 'politico-geographic' aspect of the enclave's everyday life bridges formal state politics with the very local politics within and around enclaves. Formal politics in the form of statecraft, regulation and maintenance of boundary certainly affect an enclave's everyday practices. On the other hand, everyday mundane practices of the enclaves might involve contested social and physical boundaries and defiance to state regulations. Therefore, informal politics involve politics inside the enclave, interaction and contradiction with enclave-neighbouring mainland people, and inter-enclave connections. In this context, everyday and individual practices cannot be considered as disconnected occurrences from broader social and political relations (Bernazzoli & Flint, 2010). Hence, social relations and state institutions are not separate entities but are intrinsically connected with each other (Painter, 2005). My approach also extends political geography into everyday orders and connects formal politics with local politics through the everyday survival of the enclave residents in Bangladesh and India.

This thesis offers insights on the importance of studying enclaves in political geography with the empirically informed theoretical considerations of the Cooch Behar enclaves. As a whole, the thesis presents a case study of everyday geography of the 80% the world enclaves, and will show how multiple interactions of PSL shaping life in the zones of abandonment constituted by the involved states. Drawing on Agamben (1998), I argue that these enclaves are an abandoned zone. As illustrated (chapter 1, section 1.3.2), the Cooch Behar enclaves are unadministered because of the complications over access and lack of interest to administer them. Neither country even included the enclaves in their population censuses and land survey records. Practically, the home country does not exercise territorial sovereignty in the enclaves (This theme will be illustrated in depth in chapter 4 and chapter 6.) Without any administration and policing, these enclaves belong beyond the normal judicial system of a state; the Cooch Behar enclaves, thus, experience abandonment in Agamben's (1998) terms. As Agamben (1998; 2005) shows, life is implicated in sovereign power, law and politics, and these enclaves are abandoned through a complex process of PSL interactions. In this chapter, I will not go for a detailed analysis of Agamben's formulations, as the empirical chapters will engage with Agamben

(1998; 2000; 2005). Based on the above discussions, I believe understanding enclaves through political geographic approaches can enrich both in relation to each other. I echo Sidaway's (2008: 51) call for more work on the alternative political geographies coming from different parts of the world, as 'political geography is richest when reworked, resituated, redeployed and re-imagined'.

The enclaves have been viewed as special (Minghi, 1969), temporary (Ratan, 1958), anomalous (Gold, 2000), unimportant (Melamid, 1968; Catudal, 1974) or an oddity (Diener & Hagen, 2010). Some of the enclaves have disappeared from the world political map but several new ones have emerged. To be sure, we can think of enclaves as permanent entities that might attract more academic interest. Similar to Vinokurov's (2007: 05) emphasis to consider enclaves as an 'independent class of spatial-political objects', I view the enclave as a unique politico-geographic landscape that deserves more attention. In the following chapters, I will focus on abandonment from citizenship rights (chapter 4), a border guard's power to decide the state of exception (chapter 5) and the construction of forms of bare life (chapter 6). The thesis portrays non-citizenship, different geographies of border, vulnerability and rhythms of survival tactics in the zones of abandonment. Thus each empirical chapter individually contributes to the wider political theories of citizenship, borders and vulnerability and rhythms of tactics.

## **2.5 Politico-Spatial-Legality: A Framework to Study Enclaves**

Enclave literatures follow dissimilar approaches to explore their case studies. Early literatures on enclaves either studied origin and survival from legal norms and administrative problems (Scherrer, 1973; Ratan, 1958 cited in Vinokurov, 2007: 05, 66-68) or systematically studied enclaves based on the origin, survival, administration and economy of the enclaves (Catudal, 1974). On the other hand, Berger (2010) calls for enclave research from a variety of different perspectives. By contrast, Vinokurov (2007) ambitiously attempts to find common criteria between the world enclaves' despite huge diversities of size, location, and circumstances. It is an important effort to provide a general framework to a systematic study of the enclave. All the research on the enclave essentially considers the enclave-home-host state triangle to understand enclave matters.

Vinokurov (2007) queries common characteristics within the fields of economy and politics to understand the enclave-host-home country triangle. His attempt is insightful and brings diverse enclave-specific issues and enclave-like outliers economic and political reality. However, thinking through the triangle's connections and contradictions only through the lens of political and economic aspects is problematic for the following reasons. Firstly, an enclave is inherently a geopolitical entity that functions through legal links with concerned nation-states; an approach ignoring spatiality and the law's role essentially brings an incomplete picture. Secondly,

economic issues do not determine the enclave-host-home county triangle's interaction rather enclaves' economy is determined by the political will of the involved states, legal arrangements and spatial reality. Thirdly, Vinokurov's account does not count the everyday experiences in the enclaves and their day-to-day politics of negotiation with involved states. An international enclave is politically constructed, geographically located and legally linked with the involved states. Therefore, any approach to understand enclaves ignoring any of these crucial factors cannot bring a comprehensive picture. This is because the creation, survival and disenclavisation processes of an enclave are intrinsically political; enclaves are geographical features that play a vital role in enclave related matters; and an enclave has a legal status. I believe each and every enclave has a distinctive character that can be articulated through detailed studies of each case from different dimensions under the broad spectrum of politics, geography and legality. Here I explain what I mean by politics, geography and law.

Politics does not only link territorial sovereignty, institutional political authority and geopolitical relationships (Cox, 2002; Flint, 2003; Robinson, 2003; Law, 2003) but is also connected with embodied politics from the level of individual as feminist political geographers have argued (*see* Dowler & Sharp, 2001; Kofman, 2003). In relation to the enclave, politics entails bilateral relations, national politics and local and embodied politics. For a deeper and more comprehensive way of understanding politics in the context of enclaves, it is necessary to include different scales of political practices for the creation, continuation and access or disenclavisation procedures. Besides state-centered institutional politics, Painter & Jeffrey (2009) point out aptly that de-centering the state and paying more attention to politics in any scale of social life or everyday situation should be a significant concern rather than concentrating only on formal politics. Therefore, we need a synthesis between bilateral and state politics with the local politics in the enclaves. This deals with the associations between formal and informal politics as a process that is conjured by geographically and historically positioned social and institutional practices.

Different scales of politics are intrinsically linked with scales of geography. Scales appear differently in political geography debates; such as national, international and sub-national (Taylor, 2006); region, place or locality (Passi, 2006); or micro scale and body level (Kofman, 2003). Besides these multi-layered realms of scale, Richard Howitt (2006) argues that scale is socially and politically constructed. While this research considers geography from national, local and individual scales, the location of enclave and border is another factor of geography. Boundary forms a territorial shape either physically or symbolically (Passi, 2006) and the borderland is the space where trans-boundary contacts, cooperation, conflict and contestation take place (Gallusser, 1995; Pratt and Brown, 2000; Newman, 2006); therefore the geography of the border and borderland is another inseparable part of enclave life.

It is the law that controls and directs life while people are in-between two nation-states. Every action is implicated in the law. Laws both formal and informal are critical manifestations of state power and the specificities of law as a site of power needs to be acknowledged (Blomley, 2008: 156). Law distinguishes enclave people from the host country's citizens. However, law is not a discrete phenomenon. It has spatial manifestations and political utilisation as Soja proposes to move beyond thinking about law and geography separately, and opt for a mode that draws upon both (Soja, 1996, *cited in* Kedar, 2003: 407). Likewise, Blomley (2008: 163) calls for a critical focus on disaggregation of law; its diversity and spatial diversity contribute towards the 'reach and effects of law'. In this consideration, three different aspects of the law will be explored in this thesis. Firstly, every day legal actions that shape life as well as everyday legal rights. Secondly, legal practices between the legal and illegal. In other words, I will explore the ambiguity of law in practice. Margit Cohn (2001: 471) elaborates on 'fuzzy legality' by exploring the legal practices that sit between legal and illegal or are ambiguous. Everyday mundane statecraft and survival tactics by the enclave residents encounter countless legal procedures that are neither illegal nor legal. In addition, a complex function exists between body, law and space within the contradictory binary of unauthorised/limited legal status, physically present/legally absent, and quasi-citizenship/deportation (Coutin, 2010). These complex functions of the binaries are practical expressions of the ambiguity of the law. Thirdly, extra-legal actions by the involved states will be another consideration. State actions sometimes represent extra-legality, as Agamben (1998) formulates in discussions of sovereign power and spaces of exception. And, finally, everyday legal and (il)legal actions by the enclave dwellers will be considered as well.

### ***2.5.1 Multiple Interactions of Politico-Spatial-Legality***

Critical scholarship of the PSL in the enclaves can shed light on their multiple interactions constituting a set of practices that shapes enclave life across the globe. I argue that the politico-spatial-legality is not only an appropriate approach to studying the 'unadministered' enclaves but can also be a general framework for enclave research. This thesis shows that the political geography of law precisely articulates the interplay between enclave, host country and home country. This interplay is central to understand any aspect of enclave life. The PSL framework can focus on three specific aspects of an enclave: (i) the technical and political feature of the origin, survival and elimination or biography of an enclave; (ii) the experiential aspect of the people living in the enclaves; and (iii) politico-spatio-legal forms in relation to territory. All three aspects are interlinked; however this thesis adopts the second aspect. Through this I will demonstrate how a PSL framework inherently connects rights and citizenship with home country, border and regulations with host country, vulnerability and contingent survival involving both the countries. Research on enclaves can think through either or all aspects of the PSL framework depending on the specific enclave's reality.

Different modalities of PSL interactions create three different types of enclave lives. Positive politics and negotiated spatio-legal authority constructs successfully functioning and economically thriving enclaves in West Europe. However, the economic connection with the host country did not erode the home country's control over this enclave. An example of this is the Swiss-German treaty over Büsingen which took care to specify this enclave as a casino-free zone (European Small Enclaves, n.d). In contrast, Campione d'Italia is a place that lives from its Casino. Campione, an enclave also located in Switzerland, has a similar story like Büsingen. Here, Italian police drive Swiss cars and enclave residents can access the Swiss health system and currency (Hidden Europe, 2005). The local authorities of Baarle-Nassau and Baarle-Hertog operate by means of two different sets of national law. Inhabitants in these enclaves are the consumer of their home country's telephone nets through the streets the electricity wires run double (Smith, n.d). In addition, there is a great deal of social, cultural and economic tie with host country including many mixed (Belgian-Dutch) organizations (Gemeenten Baarle-Nassau, n.d). Therefore, Baarle is a unique example of a special arrangement for a municipality to function in between two different state systems. The differences in national law and nationalities create problems such as difference in maximum speed limit, judicial procedure and so on. The West European enclaves are now part of the regional process of integration, reflecting political will, long negotiations and special legal arrangements for enclave dwellers' economic and social life while legal territorial sovereignty remains uninterrupted.

On the other hand, difficult bilateral relations, the spatial location of enclaves, and strict legality issues construct complicated enclave conditions in Central Asia. As mentioned in the previous chapter (section 1.2.2), the Central Asian enclaves are victims of the partially militarised border, check posts and border fences as the host and home states have anxiety-filled relationships. Thus, bilateral politics, strict border, ID card and checkpoint provision constitute partial enclosure in these enclaves. All these politico-spatial-legal actions affect the economic prospects of these enclaves. For example, the Shakhimarden enclave lost its tourist attraction because of strict surveillance (Khamidov, 2009). All these involve power, multiple politics and legal actions across the border. A completely different picture of enclave life is evident in the Cooch Behar enclaves when neither involved states are keen to exchange the enclaves nor interested in governing them. Everyday life is trapped in politico-spatial-legality's power, as I will illustrate throughout the thesis. Therefore, different modalities of PSL interactions constitute effectively functioning West European enclaves; somewhat functioning but partially isolated central Asian enclaves, and non-functioning and completely isolated Cooch Behar enclaves.

## 2.6 The Importance of the Everyday in Enclave Study

The existing political geography work highlights the richness of the everyday to explore political geographical milieus (*see* Dowler & Sharp, 2001; Megoran, 2006). Pound (1972: vii; *cited in* Kofman, 2003: 623) strongly emphasises the significance of everyday study, as he mentions, 'People act politically everyday of their lives, and their actions are no less susceptible of political analysis than those of the decision-makers in the nation's capital'. Surprisingly, an everyday focus has never had precedence in political geography debates until recent times. Still there is a significant absence of the everyday in political geography literatures in general and enclave research in particular. The everyday life of the enclaves appeared only in Jones' (2010) account on the India-Bangladesh enclaves as described earlier in this chapter. Scholars have focused on everyday of the nation-state (Hyndman, 2001; Mountz, 2003; 2010; Painter, 2006; Bernazzoli & Flint, 2009); nationalism and geopolitical representations of borders (Megoran, 2006); algorithmic technologies and everyday geographies of securitisation in post-9/11 era (Amoore, 2009); everyday politics, democracy and the environment (Hagene, 2010). Feminist political geographers have been stressing political geography as personal, political and local as part of rather than discrete from geopolitical analysis (Dowler & Sharp, 2001; Kofman, 2003; Hyndman, 2004). The overwhelming focus on the state and the continual focus of Anglo critical geopolitics on the elite discourse has contributed to the relative absence of everyday study in political geography (Kofman, 2003).

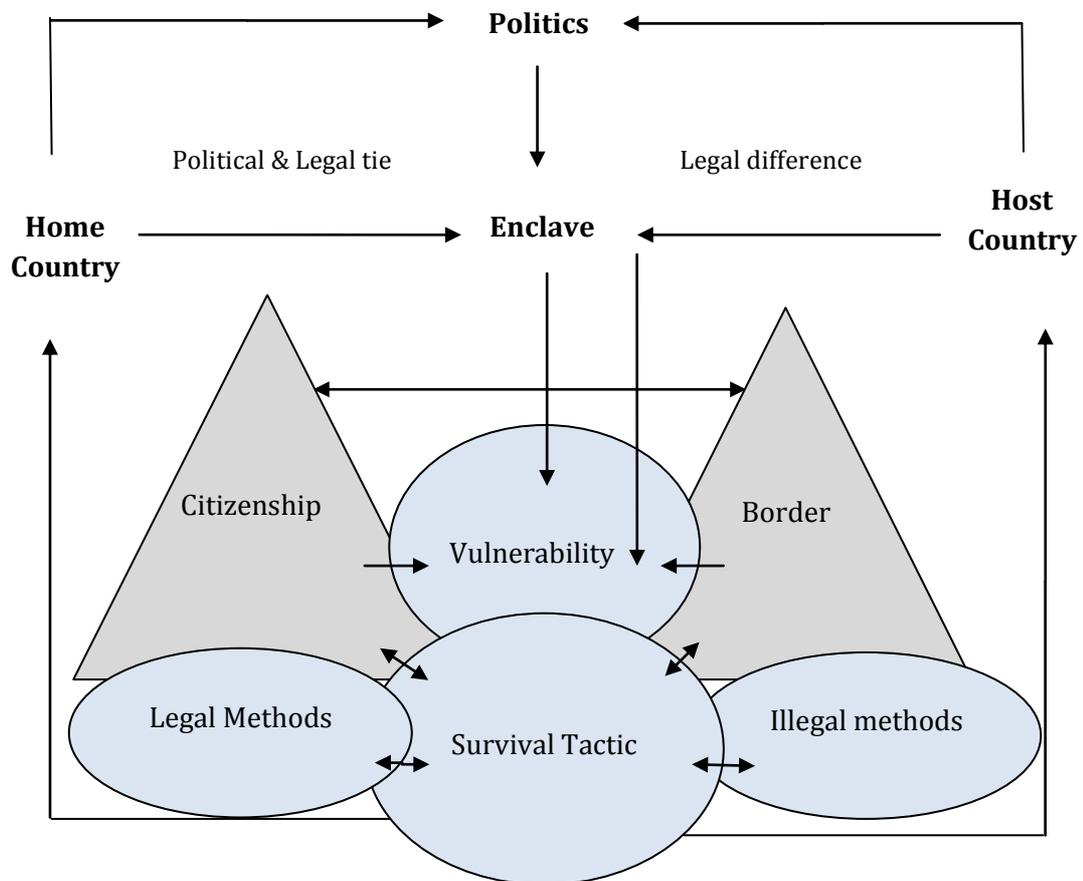
Recent works shows how the everyday can foreground the mundane activities of statecraft shaping ordinary citizens' lives in different guises (Painter, 2006); or how everyday study can successfully test the hypothesis of whether the US is becoming a 'garrison state' with dominant military culture and policies taken by the elite (Bernazzoli & Flint, 2010: 164). The political is no longer equated with the formal domain (Kofman, 2003), but rather links formal politics with local politics (Painter & Jeffrey, 2009). Everyday, thus, provides a nuanced understanding of the multifaceted nature of actions, quotidian languages and everyday structuring of social practices. An examination of the local-level dealings reveals ways that politics-geography and the law shape, create and define interactions between different social, religious and cultural groups in the enclaves. Painter & Jeffrey (2009) identify politics as everywhere and every sphere, from household matters, professional, educational and religious issues, to recreational, sexual, artistic or academic activities. Hence, informal politics contain day-to-day life. The heart of their argument is that local politics is not distinctive from but is linked with formal politics and can assist understanding formal politics. Here, I intend to connect the impact or influence of state politics, in terms of both the countries' government policies on the enclave, with local politics within and surrounding the enclaves. Such conceptualisation brings the intense impact of politico-spatial-legality on social life.

Mountz (2003: 626) conceptualises 'the state as an everyday social construction' through the work of immigration officers' daily nation-building exercises by their operational construction of identity by deciding who belongs within or outside nation-state. Likewise, everyday life in the enclaves and their mundane negotiations and encounters with the two spatio-legal systems, such as health service, education, tax, border guards and so on, shows how law as rights is negotiated or compromised within the law as power. In addition, law functions as a political weapon (*see* Blaine & Kettler, 1971) or agenda for the involved states on many occasions. For example, citizenship rights of the Cooch Behar enclaves' dwellers are almost nonexistent by many other legal complexities such as visa and border crossing, absence of any legal status to enter into the host country, absence of legal identifications such as birth certificates, national ID cards and so on. The power of law is manifested with the actions to stop the enclave dwellers building houses in the host country and imprisonment of the enclave dwellers as illegal immigrants when they are caught inside the host country (*see* chapter 5). On the other hand, the host country uses the enclave territory for a different purpose. These actions are also illegitimate but there is no question about the legality in this context (*see* chapter 6). The home country's legal connections and authority with the enclaves and enclave residents become occasionally important when both the involved states are in strained relationships (*see* chapter 4). Therefore, the everyday geographies of enclaves can reveal how politico-spatial 'othering' is constituted by legal, illegal or extra-legal actions, and how those factors decide and control enclave dwellers' mobilities.

Conceptualising everyday geographies of the politico-spatial-legality in the enclaves frames the analysis of enclaves in three ways. Firstly, the everyday can provide a clear understanding of actual practices. It can provide a nuanced understanding of process, politics, and legality as they occur and are practiced on ground. As Megoran (2006) argues, everyday lived experiences can underline the contradiction between elite and popular political geographical imagination. Secondly, by focusing on the spatialised meaning of everyday law (Blomley, 2008), a study of enclaves can effectively tell much about hidden geographies like the Cooch Behar enclaves. By interrogating political processes, institutional activities, legal practices and spatial influences on the daily routine of the enclave, the everyday can bring new insight into the unknown geography of the Cooch Behar enclaves. Thirdly, enclave research generally focuses on broad generalisations based on secondary sources or interviews, which are unable to explicitly understand the experiential aspects of the complexities of enclave life and the unevenness of the politico-spatial-legality's impact on enclave dwellers. On the other hand, an everyday study can uniquely explore those aspects of enclave life experienced in day-to-day life.

## 2.7 Everyday Politico-Spatial-Legality in Cooch Behar Enclaves

Now I move on to the PSL interplay in Cooch Behar enclaves that is constituted by three types of actions by all the actors involved: (i) PSL between the enclave and home country; (ii) PSL in host state-enclave contradictions; and (iii) PSL in relation to the enclave residents' everyday activity. The diagram below charts enclave life and the above mentioned PSL interactions from a theoretical perspective. The politics, geo-strategic insignificance and legal issues keep the enclave issue alive. The enclave dwellers everyday citizenship and survival are connected with the border, vulnerability, legal issues and political situations between the involved states.



**Fig 2.1: The enclave-host-home countries interactions in a diagrammatic form**

### 2.7.1PSL between the Enclave-Home Country

Legal norms link enclaves as a part of the home state's territory and enclave dwellers are its citizens. Laws are part of the basic institutional framework within which people order their lives and legal matters often ritual for the protection of citizens and their rights (Prescott, 1978). As the connection between the host country and enclave dwellers are legally linked with citizenship; it is vital to look at how such legal ties with the host country through citizenship are experienced in the enclaves. In fact, citizenship is not only a legal but also political and spatial

identity (Painter & Philo 1995; Carr, Brown, & Herbert; 2009). How, then, does a home country's political system operate in the enclave in a disconnected situation? What roles do the home state play to secure their citizens? Furthermore, what is the political identity of enclave residents in an un-administered enclave? Legally, the territory belongs to the home country but practically it is unadministered what I argue is an abandonment. In this situation it foregrounds the connection between the legal and the spatial in the world so tightly as to be seen identical (Blomley and Delaney, 2001). Similarly, this study also investigates how politico-spatial-legal factors shape citizenship in the enclaves as shown in the diagram above (*see* figure 2.1).

The interpretation, creation and application of law involve a variety of actors who can be seen performing and producing different degrees of law (Scherr, 2002). These actors such as judges, police, public officials and citizens are involved in considerable spatial interpretation (Martin et al, 2010; Atkins, Hassan and Dunn, 2006). Given the abandoned nature of these enclaves, what kind of citizenship is possible for them? What are vulnerabilities such situations cause for the enclave residents? Exploring the legal norms and practices shaping everyday life in the enclave, and how everyday conceptions of authority and law is experienced; this thesis tries to understand enclave-home country relationships in everyday enclave life. These relationships will be explored in two ways. Drawing on the citizenship debates (Painter and Philo, 1995; Shapiro, 2000; Nyers, 2006; Isin and Nielsen, 2008) and abandonment (Agamben, 1998), I will show how the enclave-home country connections are generally abandoned. And, Agamben's (1998) formulation of bare life will be used to understand the vulnerabilities caused by the non-existence of the enclave-home country interaction.

### ***2.7.2 PSL between the Enclave-Host Country***

PSL can also be explored through the enclave-host country relationship. Legal norms by the host country define enclaves as foreign land; hence enclave dwellers are designated as foreigners. The question of legality and illegality for the enclave dwellers emerge because of the presence of an international boundary, which ultimately constructs a binary of us/them amongst the enclave-mainland people. It is the international border that keeps the enclave residents away from the home country; and the enclave-host country borders are maintained through the citizen/foreigner binary. It is obvious that the law enforcement of the host country attempts to keep enclave dwellers in their place by explicit and informal control over movement and settlement as part of territorial sovereignty. The mechanisms of control include formal and informal restrictions by the host state. Formal restriction involves checkpoints, searches on the bus and train for national identity cards, strict measures to check ID for all types of activities ranging from hospital to bank accounts. In this context, bodies are often read by the law enforcement officials to guess the legal status of individual (Nah, 2007: 35). All these actions inscribe boundaries of citizen/illegal migrant are enacted through governing the mobility into

domains that regulate the daily life significantly (Amoore, 2006). State boundaries are also constitutive of social actions and production of boundaries in everyday life (Paasi, 1996; 1997). Informal restriction is based on the social construction of boundary between enclave-mainland people. Mainland people living close to the enclave might have self-designated-boundaries (Davis, 1992). The self-designated-boundaries by the host country's citizens as 'us citizen'/them foreigner fashion local politics in the enclave neighbourhood. These local politics and constructions of 'other' are also representative of state politics. The connection between formal and informal politics in the enclave is made through PSL interaction.

The law appears as a conceptual framework or tool of power, which fails to respond to politically and geographically unusual realities. Such restrictions can influence state sponsored or private violence, private discrimination, political and social ghettos. Citizens and strangers are controlled through an imposed set of interiority and exteriorities (Goldberg, 2001). The rule of law is deemed superior, given its ability to regulate violence through routine violence with the active or tacit acquiescence of legal texts, institutions and officials (Blomley, 2003). Such violence through the rule of law constructs fear, uncertainty, vulnerability and precarious life in the enclave. Hence, the enclave is created as a zone of 'confinement' (Coutin, 2010). Law is also used in the enclaves as a political weapon by the host country's local state institutions in the form of extraterritoriality, which is categorically illegal. Extraterritoriality occurs, 'when domestic law extends beyond sovereign borders' (Raustialia, 2009: 5 quoted in Coutin, 2010: 203). Extraterritoriality is experienced in several ways. For example, opium cultivation is illegal in both India and Bangladesh and states destroy enclave-based opium plants as a host country; however, they never enter into their own enclaves for the same reason (*see* chapter 6).

These enclaves are the space contained by lawlessness but surrounded by hostile regulations for everyday survival. Conversely, the everyday life of the enclave dwellers is shaped by the host country's legal norms to separate citizen and foreigner. Enclave dwellers are also subject to law. Hence, social life is legally saturated and the power of the law can constitute social life in diverse ways (Blomley, 2003: 27). Considering all these actions by the host states, it is necessary to explore the vulnerabilities caused by these measures. Hence, the everyday creation of vulnerability and lawlessness by the legal regulations of the host country construct rightless enclave residents who are subject to law. Thus, the enclave residents are 'excluded as included' as Agamben conceptualises (Hagmann & Korf, 2012: 212). The enclave residents are excluded from legal rights while they included in the host country's law as illegal immigrant. Therefore, the enclave-home country interactions occur through the maintenance of different layers of borders, actions of extra-territoriality and keeping the enclave dwellers as subject to law.

### ***2.7.3 PSL Everyday Survival in the Enclaves***

The third action involves enclave dwellers mobility and economic and political activities for survival using (il)legal means. As mentioned earlier, this involves enclave residents' illuminating tactics to use legal norms as an advantage; illegal activities in response to the hostile regulations against them (see figure 2.1). Obviously, an enclave's everyday politics is nothing but survival involving tactics to find a way out to avoid legal matters that hinder their life. The rhythms of every day survival tactics in the enclaves can reveal a clear picture of the diverse motives and methods of constructing everyday survival in the enclaves. Rhythm (Harris, 2000) helps to reveal *what* people do for survival and *how* they cope with difficult situations, learn from previous errors and face challenges. Thus, rhythm offers the rhythm of everyday individual survival techniques that encroach on the host country that includes personal connection, opportunity, and corruption and so on. In addition, 'Rhythms imply repetitions and can be defined as movements and differences within repetition' (Lefebvre, 2004: 90). Survival techniques vary depending on the geographic location of the enclave and mobility across the border. Geographic location, tactic and permanent settlement will be discussed in the fourth section, and the advancement of life through cross border (India-Bangladesh) mobility will be explored.

Given the circumstance, I would argue that the enclave is a space where the formal and local politics interact and contradict through the legal-illegal dichotomy and such dichotomy shapes everyday life in the enclaves. A study on such connections and contradictions provides a stimulating model of political geography of the politico-spatial-legality matters among enclave residents-host-home country. The enclave is an example of the crossing point of two or more political systems, which bind them with the legal norms of each political system. Everyday practices across boundaries involve legal/illegal matters within this triangulation, which has so far been ignored in the existing literatures. Hence, it links politics, law and boundary in all forms to explore day-to-day life in the enclave.

## **2.8 Conclusion**

The total enclave population throughout the world numbers nearly three million (Vinokurov, 2007). The total area is just a point in terms of the total landmass of the world. Such a tiny presence of enclaves in terms of size and population does not mean that an enclave is an insignificant entity, however. It may be small but its importance lies with the functionality of the enclave in-between two nation-states. Showing the trend of irregular or little in-depth research on the enclave, this chapter highlights the importance of more study on enclaves in political geography. Sidaway (2005) emphasises political geography needs more research to examine the complex relations within and across political spaces; more in-depth research on an

enclave can provide invigorating examples of such complex realities. This chapter argues that research on enclaves following the core political geography themes can bring illuminating insights in the theorisation of the nation-state, territory or sovereignty; thus both enclave research and political geography can enrich one another.

The chapter makes three contributions in enclave research. Firstly, it argues that the everyday is indispensable to understand how the enclave-home-host country interaction works on the ground and this argument will be articulated in all empirical chapters of this thesis. Secondly, specifying the research on the enclave and enclave-like outliers, this chapter argues that we should not define all outliers as enclaves that can only bring ambiguity into enclave research. For the purpose of the clarity of the term enclave and definitional precision, defining any geopolitical outlier as an enclave is misleading. In this context, political geography runs short of vocabulary to define these very significant and diverse political geographic outliers. As Whyte notes, 'a comprehensive and systematic typology or coding system is necessary for proper comparison of enclaves and other fragments without confusion' (2002: 197). And finally, I sketched politico-spatial-legality as a framework to study enclaves. Without this framework I believe research on enclaves cannot develop a nuanced understanding of enclave life that accounts for politics, geography and law's multiple roles in enclave-home-host country interactions. The theoretical approach articulated in this chapter will be explored in-depth in the rest of the chapters to understand how the politico-spatial-legality is dominant in enclave life in dynamic ways. The next chapter reflects on the methodological issues of the field research.

## Methodological Reflections

### 3.1 Introduction

Enclave study, as a part of borderland research, can tell us much about politico-spatial-legal interactions because an enclave forms a clear link with the host and home countries. Mason (2002: 27) suggests engaging directly with *how* and *why* particular methods and sources might yield data to answer research questions. This study intends to elicit everyday human experiences in the enclaves through the voices from below, daily relations and experiences of the locals. A rich picture of enclave life can be gained through studying them in their natural settings by employing ethnographic research. As Herbert (2000: 548) argues, ‘ethnography uniquely explores lived experiences in all its richness and complexity’. Previous geographic research on these geopolitically volatile enclaves involved archival research and interviews (Whyte, 2002, Jones, 2009), which fails to adequately identify their day-to-day life and governance that would be possible through an ethnographic study. Excluded from previous studies is an engagement with a feel for daily life, the experience of a lack of citizenship from below, systems of governance and border security on the ground. Empirical studies that employ only interviews overall depend on interviewees’ remarks, while ethnography offers, as Herbert (2000: 557) mentions, ‘the opportunity to observe what they do as well as what they say’. Therefore, these studies fall short by not being able to adequately understand the local hierarchy, power dynamics, and internal conflict that are imperative to study a non-state space like these enclaves.

Ethnography sheds light on the importance of locally embedded political actors and actions in the context of broader political processes (Megoran, 2006) and seeks to trace causal chains, check analytic reasoning and pinpoint behavioural outcomes (Volo & Schatz, 2004). Therefore, a fuller understanding of the spatiality and legality of political process affecting the enclave life needs ethnographic participant observation. This cannot be done through discourse analysis despite its exclusive use in political geography, politics and International Relations literatures to study politics (Megoran, 2006; Sturm, 2008; Debrix, 2008). A cogent understanding of the ground politics in the enclaves is unachievable through discourse analysis because of its predominant focuses on elite-geopolitics. Some research employs discourse analysis of newspaper and other medias to comprehend how global politics affect the local (*see* Debrix, 2008); still these are secondary resources and represent only few locals on major issues.

Discourse analysis is, thus, powerless to explore everyday politics in hidden geographies like the Cooch Behar enclaves, which receive derisory media attention. Like discourse analysis, Participatory Research Appraisal (PRA) is also less apposite to answer the research questions. PRA is well received in social geography and development research for its potency to create active and collective participation by the local people (Chambers, 1994; 1997; 2008; Mohan, 1999; Kesby, 2000; Pain & Francis, 2003; Pain, 2004; Tolia-Kelly, 2004). In a non-cohesive community where people distrust each other, the research strategy of group engagement and active participation is only capable of exploring general issues in the enclaves. Such limited participation obscures individual experiences and performances actualised in the enclaves.

Here, I expand on how this methodology enhances our understanding of the enclaves. Ethnography can produce more grounded truth-claims than the scholars who do not engage in immersion (Schatz, 2009). Such long and deep immersion is a prerequisite for an exploratory research concerned to reveal both public and individual versions of truths of enclave life. Ethnographic knowledge is about *somewhere* and from *somewhere* (Gupta & Ferguson, 1997 emphasis original); participation in, and observation of, the enclave society provides the opportunity to understand temporal, spatial, political actions from an individual scale. Most importantly, ethnography can help us to understand *how* enclave life functions in between two nation-states. As Mountz (2010: XVII) reflects ethnography articulates ‘daily life as one register of state power’. What has emerged is a fuller understanding of the various webs of relations, which the enclaves are involved in or excluded from. A critical overview of visible and invisible connectivities has also emerged through using this methodological approach, in particular, understanding practical day-to-day interactions with the involved states’ legal procedures. In Herbert’s (2000: 550 emphasis original) words, ‘ethnography is a uniquely useful method for uncovering the *process* and *meaning* that undergird socio-spatial life’. These are individual responses, tactics and vulnerabilities that need a longer time to explore, constructing mutual trust, and understanding the reality. Therefore, ethnography would be the best to focus on the contradictions between state elite and everyday political geographical imaginations emphasizing how they shaped and reshaped enclave dwellers everyday lives and survival in the last six decades. The aim of this chapter is to provide an account of the methodological transformations before and during my fieldwork based on the context and field-site reality. In Rose’s (1997) words, researcher-researched-research dynamics shaped the whole research process where research context took the key role. This chapter takes a narrative approach to set out the detail of the fieldwork plans, applied research methods, positionality and reconsideration of the research questions and theoretical approaches based on the field data.

### 3.2 Pre-fieldwork Dilemmas: Sensitivity of the Topic, Visa & Legal Matters

At the heart of this thesis, there are questions of legality, borders, citizenship and politics. These concerns have affected the *doing* of the research itself. My own citizenship, politics and positioning have been negotiated throughout the process of conducting research. As the topic is politically sensitive to both the states, nationality of the researcher is always crucial to get official approval for a border research. Therefore, border research by native researchers generally considers one side of the border since the other side is suspicious about the research motive (Rabbani, 2006; Chatterji, 1999). In addition, sporadic gun battles between the border guards sometimes make it risky to conduct research (Saha, 2007, Whyte, 2002, Schendel, 2005). Being Bangladeshi no visa was required to work in Bangladesh but my nationality created a concern for the prospect of a fieldwork in India. That the researcher's biography and positionality play a role in *doing* and *writing* the research are vigorously addressed in the literatures (England, 1994; Rose, 1997; Delamont, 1992). However, a researcher's political identity, visa dilemma and possibilities of doing overseas fieldwork are poorly addressed issues in the academic literature.

The question of the 'right visa' for conducting fieldwork in India brought the legality and ethics matters to the fore. A research visa was apparently unattainable since previous researchers worked with a tourist visa (Whyte, 2002) or ended with working only in Bangladesh (Cons, 2007; Jones, 2009; Rabbani, 2006). Brendan Whyte received an Indian tourist visa despite his quest for a research visa delaying his fieldwork by six months. He reflects upon the difficulties he endured in terms of accessing documents, 'Academic comment on government policy on boundary issues is also a sensitive matter, especially in India, where questioning the frontiers ... is a criminal offence' (Whyte, 2002: 34). My methodological aim was to conduct fieldwork in both India and Bangladesh since the origin, experience and future of the enclaves are linked with both of these countries.

Being South Asian and learning from other researchers about visa-dilemmas<sup>4</sup>, I was acquainted with the idea that South Asia works well with personnel connections rather than the legal approach. My enthusiastic plan for a tourist visa failed to convince my supervisors and postgraduate director. The practical concerns of the researcher's personal safety and probable imprisonment in the worst case scenario (conducting fieldwork with tourist visa is illegal) and

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<sup>4</sup> Researchers conducted fieldwork in India on Bengal border/enclaves and other political issues were contacted from the beginning of my PhD to develop a wider network of contacts what Crang and Cook (2007) define as the 'first step in any ethnography'. Details of visa difficulties are generally unavailable in the journals, not dedicated to methodology, but email correspondences with the researchers who faced visa dilemmas helped immensely understanding visa and research realities on the ground.

consequential fiasco of the whole project left me with two options to consider. Plan- (a) applying for a research visa or plan- (b) ethnography only in Bangladesh and archival work in India with a tourist visa. Plan-a appeared less sensible because of six month long visa process and inevitable fate of refusal. Consequentially, the entire fieldwork would not only be significantly delayed but also had the potential to jeopardise the archival research in India. This visa-related delay could endanger the fieldwork yet again by being affected by the heavy monsoon and flood. Then, I decided to opt for plan-b. Academically, the project undoubtedly lost merits with this compromise of doing ethnography only in the Bangladesh side. However, the project can still offer new insights in the political geography of citizenship, borders and vulnerability as the lived experiences in unadministered spaces located in Bangladesh is also understudied.

### **3.3 Fieldwork Routes and Gate-keeping**

The fieldwork began with a brief archival research in Dhaka that failed to provide many documents needed at that time as many of the archival documents were stolen, some were very fragile and some were restricted to use. For example, the file containing parliamentary debates on enclave exchange issues during 1974-75 was missing. On the other hand, historical documents on the enclaves in pre-partition time were available but some of them were damaged. However, old news clippings in newspaper archives and Bhasin's (1996, 2003) books based on collections of the parliamentary debates on the border in India and Bangladesh helped give an understanding of the geopolitical atmosphere over enclave issues. With this background knowledge of the national politics on enclave matters my ethnographic journey to India began to comprehend grassroots politics in those places. The Fieldwork followed the traditional method of snowballing to constitute networks of contacts as it is very effective way to increase the number of potential contacts (Weiss, 1994; Small, 2009; Spreen 1992; Thomson, 1997), and it is very useful approach accessing 'hidden and hard to reach population' (Atkinson & Flint, 2001: 03). Pre-fieldwork communications with the Bangladesh Institute of International and Strategic Studies, Institute of Defence Studies (Delhi), and Centre for Studies in International Relations and Development (Kolkata) helped me to confirm some interviews with government officials in Kolkata in Kolkata and in Delhi with the former high Commissioner to Bangladesh and home Ministry officials. Following the chain of contacts, I, then, came across the British Broadcasting Corporation (BBC) and BBC-Bangla services at Kolkata. Both the services' correspondents have done extra-ordinary gate keeping for me in both the countries. Following the discussions with the BBC correspondents, and interviews with the political leaders and Home Ministry officials, I got opportunities to visit the enclaves through BBC contact, political party connections, and Indian Home Ministry references.

It was crucial to carefully consider the presentation of self through affiliation in a place where people are vulnerable and suspicious. This can confuse/ruin or can improve the communication process in the field sites since the local people 'glean clues' to sketch the researcher's purpose of study (Batterbury, 1997). Introduction with the enclave residents through a political party would involve presenting oneself as 'party biased', which could distance the researcher from the majority of enclave folks who are victims of politics. Similarly, the Border Security Force (BSF) connection could cause wariness about the researcher's motive, as they might consider me as a BSF secret agent. On the other hand, the BBC is an international news media work beyond India or Bangladesh's political influence, sympathetic to the enclave dwellers hard life, and most importantly it has more acceptability than the political leaders and border guards. Therefore this can provide a degree of openness and less suspicion towards the researcher. Considering all three options and their possible impact on the whole project, I decided to make contact through the BBC. A series of chance and 'opportunity sampling' thus opened the prospect to do detailed ethnographic work in the enclaves as I wished to do at the beginning.

BBC-Bangla introduced me to Gautam Sarkar, who has settled in Cooch Behar, a journalist by profession with many years work experience in the enclaves. Gautam's kind offer to accompany me for two weeks was significant in getting initial access within the enclave community. He was interested to witness the differences between 'journalistic fieldwork' and academic fieldwork. 'One day in an enclave' was my preference to have an introductory understanding about enclave life. Prior to the visit, the enclave residents were informed. Many enclave residents gathered in one place to meet us that facilitated informal group discussion regarding the issues affecting their everyday life. Seeing the number of people gathered to see Gautam and me, I realised he has already gained majority of the enclave residents' trust. Journalists like Gautam are their only connection to the world and the enclave residents always update the journalists if any major attack or incident occurs in the enclaves. This positive introduction helped gain preliminary access, getting my face familiar and knowing the field site realities. However, gaining trust in the study sites was complicated; it involved nationality, religion and other factors, which will be discussed in greater depth in the positionality section.

I conducted a pilot in ten enclaves and two counter enclaves (*see* table 3.3, and section 3.4 for a detailed description of the pilot study). My visa was valid until 07 November 2009, and there was a concern that another Indian visa application might be unsuccessful. For a clear and comprehensive understanding of everyday politico-spatial-legality shaping enclave life, which is the central focus of this PhD, ethnography in both the Indian and Bangladeshi enclaves was essential. Considering the visa difficulties and looking at the aim of this research, I decided to make my previously planned archival work very brief and opted for a two-week long period of ethnographic research in two enclaves. There was a hope for another month-long ethnography in India depending on the visa accessibility. Before leaving for Delhi, I promised to go back to

Cooch Behar within three months and agreed to raise their everyday difficulties with the Home Ministry authorities during the interview. The enclave residents wanted to let the world know about their hard life. Three interviews with the concerned authorities were done on the basis of the anonymity of the person and his/her organisational affiliation. There were difficulties in dealing with people's expectations. While the enclave residents' implied that a quick resolution of enclave problems were possible by informing the high officials about the everyday challenges of enclave life, the government officials were less interested to learn about those grounded realities.

I came back to Bangladesh and went to the pre-selected major site where most of the enclaves are located. The success of the journalist gate-keeping effect in the Indian side inspired me to follow a similar path in the Bangladesh side. This approach proved unfeasible in acquiring access to Indian enclaves as local journalists (Pargram, Lalmonirhat) have very shallow acquaintance with any enclaves except the Tin Bigha Corridor and adjacent Dahagram and Angorpota (D & A) enclaves. This signifies the remoteness of the vast majority of enclaves from the local media. The over optimism of uncomplicated access with the enclave community through media sources was diminished and this experience taught me the necessity of place-specific consideration of gate-keeping. A search for an alternative link/gate-keeper was obstructed by the accommodation debacle as no landlord agreed to rent-out a flat/room to a lone female researcher. The local hotel was not suitable/safe and staying in the hotel is socially unacceptable for a woman in a rural setting. My first attempt to see the D & A was seen as suspicious and the border guards questioned my intentions, although a journalist who visited D & A many times accompanied me. Being frustrated with the circumstances, and the upsetting experiences of personal insecurity, and unease with the excessively hot food, I went back to Dhaka.

A lesson was learned and I tried to establish multiple contacts in the study site to avoid dependency on one network. Correspondence with local administration in that region and the BDR official in charge provided me with temporary accommodation in the government guesthouse in Patgram until another arrangement was possible. Bangladeshi administration cannot authorise research work in Indian enclaves on legal grounds. However, I got verbal permission to work in the borderland and D & A enclaves. References from BDR district headquarters changed BDR guards' attitude and they were happy to cooperate with this but D & A enclave residents seem to be less friendly. The introduction with the primary school head master in Dahagram worked well at getting positively connected with the enclave community. Following his contacts, tea-stall discussions and corridor gate discussions provided me a way in to establishing contact with the people and D & A reality. Besides my ethnography on these enclaves, I started doing my pilot in the Patgram area and sometimes my respondents in D & A provided contacts in other enclaves (*see* table 3.1).

As Scheper-Hughes' (2004) ethnography on the organ trade followed the body to understand the connections and stakeholders, my ethnographic research followed the 'story and network method' throughout the fieldwork. One enclave led me to another and the stories and names I heard in the Indian side worked as a valuable reference point to do a pilot study and gain access. For example, Kanti Barman, who wanted an access corridor to India, became more amiable when he heard that I knew his story from Molay Chaki, a local researcher at Cooch Behar. By virtue of cellular technology and proximity to the border, I maintained communication with my respondents in India since both Indian and Bangladeshi cellular networks were available in the Bangladeshi field sites. This link not only updated me with the Indian situation but also provided new contacts in Bangladesh. Such contacts helped to discover one enclave, Bashkata, whereby enclave residents wanted an access corridor to India. During my participant observation in Dahagram, I heard stories of this enclave from one BDR5 soldier who had been previously posted to that border.

A few months after I began my fieldwork, I was contacted by Gulam Mostafa in Kuriram, who invited me to see the enclaves in Kurigram and arranged a 'discussion meeting'. Constructing a self-governed enclave with its own constitution, administration, security force and judiciary system, the Dasharchora people define it as a country. Impressed with the amazing way of making an autonomous enclave, I decided to live in that enclave for a month. Another tourist visa in India was approved by the end of February 2010. Significantly, political circumstances of the enclaves' future changed during this time. Both the governments declared an enclave exchange procedure. The news, surprisingly, did not raise any attention in any of my study sites. Additionally, people in the Bangladeshi enclaves started protesting, they put on demonstrations and rallies for citizenship in the host country. It was an interesting change to consider.

On the way back from India, the study sites in Bangladesh were revisited to get final updates and bid farewell to the respondents. The remaining few days were spent on interviewing bureaucrats, retired army officials, and security analysts in Bangladesh. The fieldwork routes followed storylines and employed local, national or cross-border networks. It experienced success and disappointments in finding neutral and community acceptable gatekeepers. Admittedly, this route was not pre-planned and decided spontaneously; therefore the outcome was unpredictable and followed the 'chance' to know enclaves. Positively, this exploratory journey from enclave to enclave provided the opportunity to discover diverse types of enclave life and distinct and innovative survival tactics based on the location of each enclave, personal

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5 Bangladesh Rifles (BDR) is now called Border Guard Bangladesh (BGB) after an exercise to revamp the force after the Feb 25-26 carnage at the frontier force's Pilkhana headquarters in the capital in 2009. However, none of my respondents used this new official name. For clarity I will retain using the BDR.

politics and knowledge about administrative loopholes. Hence, I learned a glimpse of the lived experiences in the enclaves.

**Table 3.3: Time Line: Fieldwork Routes**

Period	Place Visited	Days worked	Work Done
1-6 October, 2009	Dhaka	06	Archival work at the Bangladesh Institute of International and Strategic Studies and the Bangladesh National Library and Archives; time spent contacting relevant people in India.
7 October-5 November 2009	Kolkata	04	An interview with a political leader who was actively involved with the Tin Bigha movement; discussions with the BBC correspondents about visiting the enclaves; and two days archival work at the West Bengal State Archives.
	Cooch Behar	23	Pilot study in 10 Bangladeshi enclaves and two counter-enclaves; two enclaves, Mashaldanga and Poaturkuthi, were selected for a two-week long ethnography after analyzing the pilot data.
	Delhi	03	Two interviews with anonymous border officials and an interview with a former diplomat who was posted in Bangladesh for a long time. And one day's archival work at the Nehru Memorial Library.
9 November, - 19 December	Patgram,	40	Pilot study in Patgram began along with ethnography in the Dahagram and Angorpota enclaves.
20 December-10 February, 2010	Patgram	20	After analyzing pilot data, three Indian enclaves were selected and ethnographic work in the Bashkata and Lotamari enclaves were conducted. To avoid the risk of detachment, I was moving back and forth between the enclaves.
10-28 February, 2010	Kurigram	18	Ethnography conducted in Dashiarchora enclave and visiting some other enclaves in Kurigram.
1-29 March, 2010	Cooch Behar	29	Ethnographic work conducted in Poaturkuthi and Moshaldanga enclaves; other enclaves were also visited. A two-day trip to Kuchlibari.
31 March-04 April	Patgram,	05	Revisited D & A, Bashkata and Lotamar enclaves in Patgram.
05-15 April	Kurigram	10	Revisited Dashiarchora enclave.
15-20 April, 2010	Dhaka	05	Three interviews with the academic researcher, foreign ministry official and former border official.

### 3.4 Pilot Study

The importance of a pilot was comprehended while designing the fieldwork. I was unsure about the number of enclaves that should be studied given the time frame for PhD fieldwork and on what grounds they would be selected. Pre-selection of the number of study-areas was impractical at the research design stage because of the lack of information on current socio-economic situations of people in habiting the enclaves. These under-researched areas only occasionally receive media attention and are excluded from any government routine surveys on contemporary conditions in the enclaves. Previous academic papers also provide a very brief

account of the fieldwork (*see* Van Schendel, 2002; Jones, 2009; Cons, 2007). Therefore, a pilot was indispensable to determine the field-sites and to comprehend the ground reality in the enclaves. Pilots in social research typically test feasibility of the research or pre-test a particular research instrument or assess degrees of observer bias (Baker, 1994; Tejligen et al., 2001; Hammersley, 1997; Sampson, 2004). In addition to these uses, a pilot can determine the appropriate research sites to best answer the research questions. I will come back to the advantages and disadvantages of doing a pilot at the end of this section. Now the discussion moves onto the detail of my pilot study.

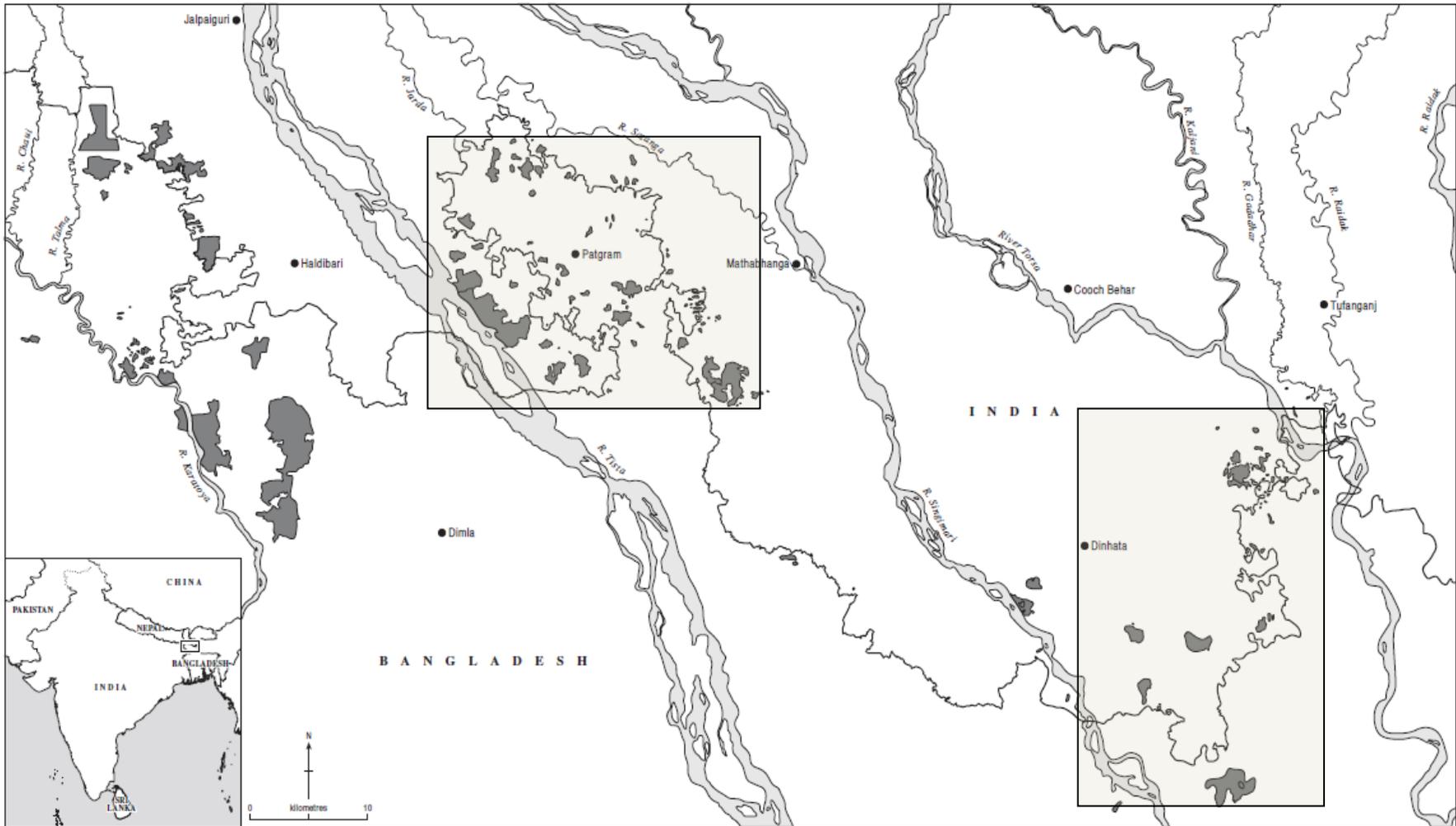
As mentioned the fieldwork begun on the Indian side. Whyte's (2002) detailed map on the precise location and size of all enclaves provided an excellent basis to do initial categorization of the enclaves. Most importantly, this map helped to detect official names of some enclaves which have different local names. Cooch Behar district is divided into 12 administrative blocks but the enclaves are scattered in six blocks. The initial groundwork was done based on the official list of the distribution of the enclaves in the administrative units (table 3.2 and map 3.1). Two weeks in each side of the border did not allow for a comprehensive pilot; therefore, I tried to choose an area that contained the maximum number of enclaves and that had diverse circumstances. Dinhata was considered as the primary field site as it contains the maximum number of enclaves. However, enclaves located in other blocks were visited on occasions. Hotels are only available in Cooch Behar town; therefore, I had no choice but to commute to the enclaves every day during the pilot study; however I lived in Poaturkuthi enclave while doing the ethnography.

**Table-3.2 The enclaves' administrative distribution based on government information**

Geographic distribution of the enclaves in Cooch Behar		Geographic distribution of the enclaves in Bangladesh	
Blocks (administrative unit) containing enclaves	No of the enclaves	District	Enclave
Dinhata I and II	34 (two enclaves are located between Dinhata and Tufanganj)	Panchagarh	34
Sitalkuchi	09	Nilphamary	04
Mekhliganj	27	Lalmonirhat	53
Tufanganj	04	Kurigram	13
Haldibari	18		

Based on Indian and Bangladeshi newspaper reports, discussions with the local researchers, activists in Cooch Behar, and my gatekeeper Goutam Sarkar's knowledge on the enclaves, ten enclaves were visited. A pilot in Bangladesh followed the same procedure as in India. Indian enclaves in Bangladesh are located in three separate districts (*see* table 3.1). Among the

districts, Lalmonirhat had the highest number of enclaves (table 3.2). I chose Patgram thana in Lalmonirhat as my study area where 40 enclaves exist. Additionally, D & A enclaves are connected with Patgram, Bangladesh through a corridor. Therefore, I could conduct the majority of fieldwork based at one station and could save time by avoiding inter-district travel. Most importantly, it takes time to be acquainted with the place and its people so having one station is extremely useful in this context. I collected data and spoke to the people who research on enclaves during my fieldwork in India. Based on Indian and Bangladeshi newspaper reports, magazine articles, information/views from local journalists in Cooch Behar and Patgram, I designed my initial pilot in Patgram. On many occasions border guards and enclave dwellers of one enclave provided information or remarkable incidents about other enclaves. It was not always the case; some enclaves are completely isolated and do not have any connection with any the other enclave of the region. Specifically some, tiny enclaves are agricultural fields and nobody lives there. On the other hand, some enclaves have some connections with home country. The enclaves visited during pilot are in the next section.



Map: 3.1: Fieldwork study sites in shaded boxes

**Table 3.3: Brief descriptions of the enclaves visited during pilot study**

<b>Indian Side</b>		<b>Bangladeshi Side (Patgram)</b>	
<b>Enclave</b>	<b>Description</b>	<b>Enclave</b>	<b>Description</b>
Korola	Muslim majority, very close to the border, and it has 'enclave welfare fund'. However, internal conflict is high over control of welfare fund.	23-Darkamari	One person owns half of this enclave who came here by exchanging his land in Cooch Behar with the original enclave residents in 1948.
Gobrachora	Well inside Indian mainland but incredibly vulnerable, economically impoverished, high risk of robbery and local Indians intimidate the enclave residents.	25-Darkamari	All Muslims and entirely disconnected from home country. A few wealthy enclave residents own land in the enclave but live in Bangladesh and enjoy full Bangladeshi citizenship.
Batrigach	This enclave is severely exposed to riverbank erosion and flooding.	13, Kharkharia, 14 Lotamari and 15 Kharkharia	Three contiguous enclaves, majority Muslim migrated from India, and few Bangladeshi landless. Fascinatingly, people living in these enclaves are involved in local political dynamics of Bangladesh.
Kismat Batrigach	It is a flood affected, mixed religion enclave; no community cohesion, close to BSF check post, and agonized by mainland Indians. It is a large enclave and got almost 400 families there.	120 Lotamari	All Muslim, very close to border and enclave folks are closely linked with nearby Indian village. Few people who have house in Bangladesh are Bangladeshi voter card. Mostly original enclave residents but few came from India and other parts of Bangladesh. BDR camp exists by the enclave.
Dakshin- Mashaldanga	Religion plays a vital role for the conflicting relations within the enclave community. Muslims have good connection with Bangladesh and Hindus with India.	119-Bashkata	Mixed religion and close to the border. Almost one-third people living here want a corridor to get connected with India.. Some Muslim enclave folks managed Bangladeshi voter card.
Madhdha- Mashaldanga, and Purba-Mashaldanga	Both the enclaves exhibit reverse characteristics. Purba-Mashaldanga is a Hindu majority enclave and has very good connection with India. On the other hand Madhdha Mashaldanga is a Muslim majority enclave. It is also an appropriate example of how a host country invades home country's territorial sovereignty. Indian road is constructed and electricity poles and water pipe lines are erected through this enclave.	16-Bhotbari	Few managed Bangladeshi voter card. Majority are poor. Most of them came to this enclave from Cooch Behar by exchanging their land with the original enclave residents.
Counter enclave Madankura, and counter enclave inside Madhdha-Mashaldanga	Enclave residents have all facilities like any other Indian citizens. They can access electricity and other services.	112-Bashkata	No original people live here and it is a agricultural land. All the people I met here came from Bangladesh.
Bakalirchora	Entire enclave population was swapped with the indigenous Bangladeshi 'Orao' community. They moved out from Bangladesh only because of the wedding dilemma. Because of their small numbers, sometimes, they had to marry relatives	17- Panishala	Indian Muslims exchanged land and started to settle down. Some people living here try to belong within the bend of two states.
Nolgram	Almost 90% enclave residents managed Indian ID.		
Poaturkuthi	A mixed religion enclave, people are poor, very few people managed Indian ID cards, and communal tension exists here.		

### *3.4.1 Selection of the Field-sites*

The pilot suggested that many enclaves contain distinct characteristics depending on their location, religious orientation, and connection with home/host country and so on. While the enclaves are geographically distributed in two separate countries and characteristically diverse in different locations, a single site ethnography following the traditional anthropological approach is inadequate to explore spatially scattered lived experiences. Katz (1994) argues for a displacement of field site to locate and tease apart some of the differences between and within field sites. Later Marcus (1998), who popularised the multi-site ethnography in anthropology, argues in a similar vein that this approach follows structure, network or relations to sketch interconnection between sites. Multi-site ethnography is used to draw connections between local and global (Davies, 2009) or to explore post-socialist transition (Hörschelmann & Stenning, 2008). For this study, multi-site ethnography is an opportunity to explore diverse experiences of enclave life shaped by the space and wider political environment.

Looking at the pilot data in India my initial plan was to consider Poaturkuthi and Moshaldanga complex as key research sites (*see* table 3.3). Due to Poaturkuthi's central location amongst the enclaves visited during pilot, long distance from international border and Muslim majority, I decided to work in this enclave. In contrast, another site, Moshaldanga complex, is located close to the border and has connections with the home country, is a victim of the local politics, and a mixed religion enclave. A combination of research in both sites can provide revealing examples of the location, religion, border, community and connection with the host/home state shape the everyday geography of the enclaves. Therefore, four Bangladeshi enclaves in India were selected as field sites. In addition, D & A enclaves were preselected study sites because of their unique characteristics of daytime connection with the home country through a corridor. As mentioned, I began my two week long period of ethnography in Poaturkuthi and Mashaldanga enclaves immediately after the pilot in Indian side.

Although enclaves located in Patgram, Bangladesh side are similar in their characteristics, I decided to work in 119-Bashkata and 120-Lotamari. Bashkata enclave folks have conflicting desires of nationhood depending on their religion and it is a few yards away from the border. On the other hand, where Lotamari is situated is a similar distance from the border but all residents are Muslim and rarely connected to the home country. I went back and forth to these enclaves for a month, which provided a deep understanding of border, (non)citizenship and vulnerability and religions role shaping them. However, fieldwork in Lotamari was jeopardised in the third week by a border incident that will be discussed in the positionality section of this chapter. As mentioned, Dashiarchora is an exceptional enclave because of its self-governing nature. A month long ethnography in this enclave provided an opportunity to understand citizenship in a self-governed enclave and the role of border negotiating both the concerned states.

The entire fieldwork involved six months hanging around in six field sites and a month long pilot study which involved moving between sites. Multi-site ethnography scholar Hannerz (2003) critiques this approach for not being able to provide deep hanging interaction as time and effort are stretched between the sites. I tried to keep this interruption to a minimum through the on and off method of moving sites. Furthermore, I was continuously connected with most of my field sites in both sides of the border through cellular technology. Almost 50 percent and more of enclave residents have a cell phone and many of them use both Indian and Bangladeshi 'sim cards' to stay in touch with their friends and family across the international border.

### ***3.4.2 Benefits of the Pilot Study***

In addition to the selection of the field sites, the pilot study was significantly helpful for the following reasons. Firstly, it provided a general understanding of the enclave life and helped in establishing access within the community that is crucial for an ethnographic immersion. According to Sampson (2004: 399), a pilot is 'an introduction to an unknown world'. Such an interaction enabled me to get an insight into the psychological and behavioral pattern of the villagers. Secondly, a pilot study is useful to examine the practical consideration about the manageability of the number of field sites and rationality of doing multi-site ethnography. Thirdly, this provided an opportunity to consider the practicality of the proposed research methods. For example, pre-fieldwork research design considered using focus groups as a possible method alongside the participant observation as this method can provide prompts to talk and several layers of argument. However, the method proved unsuitable in this context while enclave folks declined to reveal individual economic and political strategy in group discussion and many others did not turn up to avoid local politics. Thus the pilot revealed local politics and problems helping to decide methodological strategy (Teijlingen et al., 2001). This also signifies the limitation of a participatory approach in a non-state space on sensitive issues. However, the ethnography turned a 'site' into 'field' through a legitimate knowledge production by the familiarity that an ethnographer gains in the ways of life of a group of people (Gupta & Ferguson, 1997: 37). In this research, the pilot study provided initial access to the path by gaining knowledge of the community and place under study. On the other hand, a pilot could endanger the whole fieldwork if the community distrusted the purpose of the study and me. A pilot study, thus, can help to crystallize a well and sensibly designed ethnography although it does not guarantee absolute success of fieldwork.

### **3.5 Positionality and Representation**

Generally, positionality refers to the personal, physical or social characteristics of the researcher such as class, gender, age, race, ethnicity, nationality and so on (Herod, 1999; England, 1994). My own identity and background worked in a complex way during the fieldwork. Obtaining

access to the community, interviews with the political elites and with home ministry officials was uncertain until they are completely convinced with the intention of the researcher. My nationality was a real issue at the beginning of fieldwork in the Indian field site, Cooch Behar, where one of my contacts, who became my gatekeeper later, was concerned about the research motive. He asked, “Will you explore how Bangladeshis are suffering in India?” The suspicion of a nationalistic research made my potential gatekeeper suspicious. In such circumstance, my affiliation and research grant from a British university; and research on understanding the ‘enclave life’ across the border persuaded my contacts to work as gatekeepers.

My identity as a researcher based in a third country placed me in a convenient position that felt more neutral. This approach convinced my gatekeepers, who introduced me with the community in a strategic way by saying “She is a Bangladeshi by birth but lives in the UK. She came to see life in the enclaves in India and Bangladesh as part of her study in a British university”. A positive introduction by the community’s trustworthy people bridged the nationality gap to some extent. My respondents felt a degree of comfortability and less pressure on uttering their desired views about both or either country. Some other people were pleased to see a Bangladeshi come to learn about their way of life. Having an educational home in the UK did not convince all of my respondents. One person angrily refused an interview saying, ‘*It is the British who created the mess and made us stateless. Now they have sent you to see how do we survive?*’ (Fieldnote, 28 October 2009) I was not prepared for this encounter and the impact of positionality was learned ‘on the spot’ (McDowell, 1992; Rose, 1997); I realized that there is no neutral position acceptable to all.

I was not perceived as an insider in Bangladesh despite my Bangladeshi citizenship. I was rather considered as a spy either from India or Bangladesh who wanted to explore the illicit economies in the borderland. In this context, it is not the researcher’s identity rather the politico-economic reality of the research site that was constructed through such representation. An unexpected incident that involved the death of one Bangladeshi by an Indian border guard complicated my ethnography in Lotamari enclave. The man who was killed had been living close to this enclave and the incident occurred during the second week of my participant observation. People began to perceive me in a suspicious manner. They thought I was a border guard spy. Consequently, all of the men started avoiding me; however women remained friendly. As I failed to convince them that the incident and my presence in the enclave was only a coincidence, I had to stop working in that enclave. It was an unexpected puzzle beyond my control but a product of the constructed imagined positionality within their minds.

Indian-subcontinent has a history of Hindu-Muslim communal tensions. Such tensions are also visible in the enclaves spaces (*see* Whyte, 2002; Schendel, 2002; Cons, 2012). Being a South Asian Muslim, I am familiar with this religious feud, which sometimes involves restricting any

Muslim entering in Hindu upper caste people's house and sometimes vice versa depending on who forms the majority. Religion clearly made the key insider/outsider boundary that I tried to mediate during the field research. During my pilot in India, I needed an upper caste Hindu gatekeeper all along to gain access. Gautam accompanied me during interaction and interview with them, which immensely helped gaining access and credibility within the upper caste Hindu enclave residents. Besides, most of the Hindu enclave residents are scheduled castes who have less reservation talking to a Muslim researcher. The Muslim folks I worked with often referred to me as 'one of us'. On the contrary, my religious identity did the reverse to the Hindu minority enclave dwellers in Bangladesh. My research in the Indian side made them curious to know the situation on the other side of the border, and most importantly reference from their Indian contacts helped me gaining some degree of access. Some people avoided the risk of sharing religion's role in shaping their life but some others were outspoken for various reasons. It is unfair to claim that I gained their trust, rather they judged me harmless. A schoolmaster in D & A came forward sharing his desired nationality and frustrations of being 'obligatory Bangladeshi' since the opening of the time corridor. In his eye view I am a Muslim minority in the UK who can understand a Hindu minority's disappointments. 'Experiential sameness endows the researcher with greater understanding of the researched's reality' (Mohammad, 2001: 104). In this particular context, the researched granted that moral authority.

Interviews with political elites, journalists, researchers, and bureaucrats brought different power relations. My national, institutional and geographic identity worked in a complicated way. Since it is an unresolved bilateral issue, any question that goes against their government was considered as pro-other country. Besides, there is a lot to do with researcher's biography (England, 1994). An interview with a former diplomat became unfriendly when she learned where I did my undergraduate degree. In her view, that university is the grooming place for radical Islamists. I had another unusual encounter while interviewing a university professor. He was very cooperative, and sharing his views and activist role on the corridor and enclave matters. At some point of the discussion he asked what part of Bangladesh I am from. Unease was visible in his face when he heard I am from Dhaka. He replied me, 'I do not like people from Dhaka or Kolkata, they are the most arrogant people on earth'. The interview actually ended there. Every aspect of the researcher's identity might affect the interview and the fieldwork process. Sometimes participant's personal reservations construct positionality which is unavoidable and unpredictable.

Like Nagar (1997), I was experiencing that the community being researched was also curious about the researcher. They were aiming at more uncovering my personal information; such as my parents occupations, siblings profession, earnings, marital and social status. Many wanted to know whether my husband is a white British. People were very much interested to know about life in the UK. How do people live in the UK? Do they grow rice? Do they have floods or

disasters? Such discussions eased the gap between the researcher and community. Besides, these poor rural people are generally neglected by the educated upper class, therefore a generous behaviour impresses them so much. I found some of my respondents deliberately showed me their illicit economy, route, network and people involved in it. I was asking one of them why do you let me know all this? He replied, *'A spy will not spend so many months in this area. Besides, you live in London and if you write about me, nobody here in Bangladesh will know this and no risk to be caught'* (Fieldnote, Dahagram, 31 March, 2010). Such a conclusion does not indicate insider or outsidership but instead suggests that people make an individual judgment about the researcher's ability of doing harm if personal experience is shared.

Access during my fieldwork followed three phases. Initial access was through the gatekeeper during my pilot, and this was the most important phase. This provided opportunities to see people, talk to them and get their modified version of life. People living in this part of world are not familiar with the term researcher and they consider all journalists come for a day and go back. My interest to stay there and desire to understand their everyday life provided access to learn their mundane life. And finally, long term stay in the study area created a sense of kinship and some people regarded me as harmless. Some people kindly expressed their interest to explain enclave life as they consider I am working so hard to pass my exam and they should help me with this. The community in general considered me equivalent to a harmless foreign journalist. Slowly and gradually, I gained access to learn a considerable part of their life while I believe full access to anybody's life is unattainable.

The positionality and its likely impact on research process and production of knowledge are debated in the social science research. Many argue that positionality as an 'insider' makes a researcher more privileged to conduct research than someone outsider (Chavez, 2008); however, none can become an absolute insider or outsider (Nast, 1994:57). In my case, my positionality switched from insider to outsider and many times it was neither. A researcher's positionality is not absolutely fixed within the insider/outsider binary rather it shifts by the researcher and the researched through their mutual construction (Herod, 1999; Nagar, 1997; Mullings, 1999). Positionality also varied depending on the people interacted and field-site's reality as happened at the Latamari enclave. Since I am working on an unresolved politically sensitive issue, many times my respondents were expecting me to take their side. I was not in a position to be judgmental but was sympathetic to their circumstances.

## 3.6 Fieldwork Methods, Data Interpretation and Reflexivity

### 3.6.1 Methods & Data Collection

To understand the everyday experiences of citizenship, border, vulnerability and methods of survival in the enclaves, participant observation was the key method. Participant observation is the key ethnographic method that leads an ethnographer to understand the complex reality of social agency in marginalised groups (Humphrey & Mandel, 2002), the performative nature of human behaviour and border enforcement (Mountz, 2008) and a deeper understanding of the everyday lived experiences (Crang & Cook, 2007). Therefore, the complexities of the everyday ground realities between the enclave-host-home country interplay could not be effectively explored leaving participant observation aside. Other methods such as interview or focused group discussions are unable to participate, observe and adequately understand the everyday politico-spatial-legal environment across the enclaves that enclave dwellers are part of, rather these methods depend on what the selected respondents *say*. As (Watson & Till (2010: 129) argues, ‘interviews cannot report upon what they ‘do’ for ‘doings’ are often unconscious or unarticulated practices’. I believe in such circumstances these methods are not the best independently but they are useful alongside the participant observation. In this research I did in-depth interviews alongside the participant observation while focus group discussion was not useful as people are unwilling to disclose their personal negotiations in front of others.

Following Sara Delamont’s (2004) argument, careful consideration was paid to ‘sample’ the setting systematically by focusing upon different types of participant at different times of the day and in diverse possible observational sites. Participant observation was done in different segments of the enclave, enclave-host state border, enclave-fenced India-Bangladesh border, busy places in the enclaves and tea/coffee shops. Participant observation from these locations and different aged people did not only provide understanding of their daily activities but was also useful to explore mobility and social practices across the border. I have participated in women’s evening socialisation, which helped to gain knowledge about women’s everyday life. I lived in Poaturkuthi and Dashiarchora enclaves for an in-depth understanding of the rhythm of enclave life. This not only helped to understand some early morning actions such as getting iron-free drinking water from the host country but also helped to know the people who spend the day working in the host country. Considering internal power relations (*see* section 3.7), security issues, closeness to the border, and BSF scrutiny, I did not stay in other study sites. However, I worked longer time in those enclaves to understand their daily rhythms. Time remarkably controls the activities and movements in the D & A enclaves whose border shifts twice a day. Participation in and observation of the corridor opening and closing times provide rich and detailed narratives the corridor related politics, memories and struggles. For example, the closed corridor gate reminds people about their previous tactics to reach Bangladesh. In

addition, participant observation was rewarding to get border guards' views and experiences in the Bangladesh side. They were frank about their daily routines at the Tin Bigha Corridor checkpoints; however refused any interview. In practice, participant observation is often one element in a broader ethnographic approach, involving the use of other research methods (Mason 2002; Megoran, 2006; Atkinson et al, 2001). Participant observation provided me many interesting issues of the legal matters, internal conflict, victimization and coping strategies. It provided the general idea about enclaves and clues to different stories and incidents. A clear and detailed idea of the personal experiences and secret negotiations required in-depth interviews. As Atkinson and Silverman (1997) argue, the face-to-face interview enables a 'special' into subjectivity, voice and experience. Participant observation provided the context to do interview and selecting interviewees.

Interview respondents were selected based on their individual negotiations, connections with the host and home countries, vulnerabilities, and experiences of border. In this context some newspaper reports and stories, those I heard during pilot study and participant observation, helped choosing respondents. The interviews were not dominated by my predetermined agenda rather it followed to ask broad opening questions, with the answer becoming my main source for my next question and our discussion in the rest of my interview. Focusing on events and situations that have taken place in an interviewee's life can bring out illuminating issues rather than simply asking them only their views. For many instances, I came to learn many crucial matters of their life that I did not plan to look at and questions I had not thought to ask (Hubbell, 2003; Knapp, 1997). In addition, the same questions were not asked in each interaction but I covered the same broad themes in different interviews. As Rapley (2004: 18) mentions, 'this is the central rationale of qualitative interviewing – that it enables the researcher to gather contrasting and complementary talk on the same theme or issue'. All Interview sites and interview times were decided by the participants which relaxed the participants and eased the interviewer-interviewee power relations to some extent and provided me opportunities to comprehend the field-site and people more explicitly. A few respondent preferred an interview outside the enclaves to avoid local political dynamics; thus an interview does not only involve the interviewer and interviewee in a power relation, it involves other power relations as well. Thus, the selection of the interview site itself produce a 'micro-geography' of the spatial relations and meaning (Elwood & Martin, 2000). Similar to Oberhauser's experience (1997), the interview and participant observation benefited each other.

To understand state responses to the enclaves, I interviewed the local government officials and border guards who are more practically involved with the enclave matters than the high officials sitting at the capital. I conducted semi-structured interview with them and was careful about the sensitivity of the questions. I followed Rapley's (2004: 20) strategy - that is, after interviews I took notes on the encounter, noting both pre- and post-tape talk alongside my reactions and

observations about the interview itself. Political elites, government officials and border guards did not allow recording the interview but I took notes. In fact, it was not an open interaction but rather was like a statement or speech and they declined answering any follow up question. On the other hand, some other government officials and border guards were frank in informal discussions on the basis of anonymity but did not come forward for any interview. I preferred both taking field notes and taping audio records. Field notes are a detailed catalogue of events including my own role in and experience of the setting and interactions, which was updated regularly. I used triangulation and crosschecking methods to increase the trustworthiness and credibility of data. Besides, there was a tendency to exacerbate the real story; therefore I crosschecked them with other relevant people.

**Table 3.4: Interviews reached during the fieldwork**

Interview Location		Respondents reached		Refusal
		Male	Female	
<b>Interviews reached in India= 36</b>				
Cooch Behar	Moshaldanga	05	02	02
	Poaturkuthi	06	04	01
	Dahagram & Angorpota enclaves	05	02	
	Kuchlibari (Indian mainland protested against the opening of the corridor)	03	-	
Cooch Behar town		04	-	01
Delhi		03	01	
Kolkata		01	-	
<b>Interviews reached in Bangladesh= 34</b>				
Patgram	Bashkata	08	02	01
	Lotamari	03	03	04
	Patgram Upazila centre	03	-	
	Vote Bari	01	-	
	113-Lotamari	01	-	
Kurigram	Dashiarchora	07	03	02
Dhaka		03	-	01

### ***3.6.2 Reflexivity, Data Interpretation & Emerged Themes***

Data interpretation and analysis began with an attempt to order the data through the research diary notes, interview checklists and research questions of the field for a rough direction regarding the themes coming out from the field data. During the time of interview, I was not allowed to record the whole conversation. Thus, bits of interview are in my diary and I kept notes about the tone, expressions and some detailed information during the interview. A combination of reading those notes and listening to the interview helps to articulate the said and

unsaid matters relevant to the interview. Thus, it helps to guide what was being said and with the meaning and intent of each statement (Crang & Cook, 2007: 137). I followed an open coding procedure to extract categories found in the materials that helped to avoid bias to certain categories and as Crang & Cook (1997) say to ‘avoid imposing some outside set of categories’. Then, I arranged the categories that emerged through a triangulation of the three parties involved- host state, home state and enclave. Thus, citizenship, border, vulnerability and survival tactics themes broadly emerged from the materials gathered from the field. Each theme will form a chapter in the rest of the thesis and will be linked with the wider theoretical considerations. Thus, ethnography makes connections between micrological observations and broader interpretations and theorisations (Hörschelmann & Stenning, 2008: 05).

The field data revealed different key themes than those I had before the fieldwork. The issue of legality linked to geography and politics emerged as key issue for enclave life from the field data while pre-fieldwork research questions considered citizenship as the issue regarding these enclaves. It was something like Arendt’s remark on participatory research as ‘pearl fishing: one dives in not knowing quite what one will come up with’ (Arendt, cited in Dowler, 2001: 157). Similar to Dowler’s (2001) realization of ethnography’s strength in conflict setting, I felt a preconceived notion of place transforms and dismantles by the ethnographic methodology in the context of sensitive and under-researched border zone. Such transformation of conception is possible through an ethnography that can uniquely reveal the lived experiences.

### **3.7 Difficulties, Limitations and Ethical Issues**

This section focuses on the empirical and methodological difficulties, limitations, and some ethical issues emerged during the research process.

#### ***3.7.1 Difficulties and Limitations***

There were empirical difficulties such as local politics and respondent selection, coyness of women voicing experience, over attention hindering fieldwork, gate-keeping complicity and so on. Although people are vulnerable and marginal in the enclaves, they still live in an internal hierarchical relationship. As Jenneke & Jos (1977) encountered in the 70s, during their study on power relations in rural Bangladesh, village leaders claim that they could talk about the village much better than the peasants. I encountered the same difficulties many times; for example an enclave elite was describing enclave life on behalf of the whole enclave in a group discussion of 20/30 people. Once, a man tried to share his own story the enclave elite furiously stopped him by saying, ‘*Do you know how to speak? I know everything of this enclave and it is only me who can make an apt description!*’ Other people were quiet. I did not counter the enclave elite but assured the interrupter that his story will be heard. Discussion with the elites cause unease in

general enclave folks mind; on the other hand, avoiding the enclave elites cause relatively unfriendly environment in the enclave by the elite allies. Making a position to have a balanced and friendly relationship with both the groups was very challenging in a place where a climate of suspicion and internal conflict dominate the socio-political environment. Internal politics of the research site can profoundly complicate positionality, or in Mulling's (1999) phrase construct 'positional space'.

Some of these elites are citizens of both the countries but describe appealing stories of enclave life to the journalists. One of them proudly informed me that two foreign journalists like me interviewed him. These 'celebrity respondents' sometimes did not understand why I should need to talk others when he described everything. Quite surprisingly, people who never suffered extreme enclave life are vocal about these issues while many others who are victims of violence failed to vocalise their suffering in detail. Besides, women are so marginalized that many of them told me, 'ask my husband, I don't know what to tell'. Teen-aged girls were more forwarding than those who are in their 30-40s. Women those places are so powerless and never allowed to take decision for them, therefore expressing self was tough for them. However, everyday discussions and participation eased the barrier but still their participation was remarkably low compared to the male enclave residents. Since women in general are not involved in household decision-making process, it is difficult for them generating an opinion on any issue. Silence can cause unwillingness sharing private voices or a refusal to answer questions (Oinas, 1999); however, socially embedded powerlessness created speaking unconsciousness for the enclave women.

Gatekeeping immensely helped gaining access and credibility within the community, however there were complications too. There are dangers of remaining largely dependent on the goodwill of gatekeepers when a gatekeeper chooses respondents or attempts to control who you speak to (Saghera & Thapar-Bjorket, 2008; Heath et al, 2004). My gatekeeper dependency was only for an introduction to the local people while the participant observation and interview procedures were generally done independently. However, some issues emerged with the gatekeepers when they interrupted interviews and discussion by irrelevant opinions. Such actions destroyed two interviews and I rescheduled those interviews later. In addition, another journalist gatekeeper demanded copies some interviews and images from Bangladeshi enclaves in India so that he could make news claiming he visited those enclaves. It was difficult convincing these people of the research ethics in an under-researched area.

The worst clash happened on the Indian side during my second trip. The general secretary of an activist organisation IBEECC was one of my gatekeepers and I was closely following the events he ran on the Indian side. He asked support for doing a census on these enclaves to gain administrative attention what I agreed to do on the basis of complete anonymity. Surprisingly I

found my name in the local and national newspapers, ‘A Bangladeshi research scholar from the UK’s Durham University, H.J. Sheuli, had demonstrated to the committee members how to enumerate the data for the census.’ (The telegraph, Calcutta, The Uttarbanga Sambad, March 25, 2010). This caused a dubious situation for me that risked some interviews with Indian officials in Cooch Behar. The issue clouded my friendly relations with the gatekeeper. I declined a previously agreed interview as the interviewee had misused my opinion. The issue of positionality was reversed. I left India the next day considering the worst possible scenario of imprisonment or harassment doing research and getting involved with an activist movements on a tourist visa. I learned the researcher- gatekeeper relationship is unstable and friendship between researcher and respondent can not only improve the research but also complicate it, what Dowler (2001) describes as a ‘loss of detachment’.

Over attention caused difficulties continuing my participant observation. Children and other curious people were following me around and I had to hide somewhere for while and then started working again (*see fig.3.1*). Methodological strategy such as dry season- biasn provided a partial view of the enclaves (Chambers, 1997). I preferred to work in winter to avoid the floods; such practical consideration limited my understanding of enclave life only to the dry season. I decided the administrative site of the field site based on the number of enclaves and accessibility, and then did my pilot to choose the number of enclaves to be studied. Selection of the study district was based on the maximum number of enclaves and then pilot study led to some sites being ignored and unstudied. My preference to work only in Patgram did not provide the opportunity to study most interesting characteristics of the Dashiarchora enclave. This also indicates I may have missed some other fascinating insights of enclaves.



**Fig 3.1: The curious rally to see what I am doing.**

### ***3.7.2 Ethical Issues and Risk Considerations***

This study is conducted in accordance with the ethical principles set by the Geography Department, Durham University. All respondents are anonymous here and in some cases the name of the enclave is kept anonymous if the respondent so wished. The interviews were transcribed carefully to avoid any mediation while translating from Bengali to English and the transcripts were crosschecked by two bilingual colleagues. However, two issues were not strictly maintained according to the university ethics rules. Firstly, the ethics form demands written consent of the respondents which was not possible in such rural setting. People generally think signing a form is a massive important issue which makes them suspicious about the intention of the researcher as experienced Zaman and Nahar (2011). Therefore, only verbal consent was taken from the respondents.

Secondly, I worked to some extent in disguise in one of my study areas in India. I always introduced myself and told my respondents the purpose and aim of this project to my interview participants. But I admit that I did omit information about my nationality in Kuchlibari, India. I explained everything but my nationality, they did not ask my nationality either and two local journalists accompanied me. Bangladesh and two Bangladeshi enclaves in India surround Kuchlibari. This village is connected with mainland India only through the time corridor. Heavy presence of the Indian border guard, continual surveillance through the patrol van in the village, and intense anti-Bangladeshi sentiment amongst the residents here made me concerned about conducting interviews. Researcher's nationality status directly affects interview environment and communication if the interviewer and interviewee's nation-states are in contentious relationship (Hubbell, 2003; Williams, 1964; Michalowski, 1996). Their view was needed to articulate the time-corridor and Dahagram-Angorpota's connection with Bangladesh. My intention here is to explore how both sides think about each other and how did they feel when the time-corridor was open since two people were killed when they protested against the corridor.

### **3.8 Some Important Considerations**

There are some important issues of this thesis that need clarification. Firstly, the most terrific examples of vulnerability presented in this thesis came from the enclaves located on the Indian side. This is neither because of any nationalistic bias nor because of the Bangladesh government's sympathetic leverage to the Indian enclaves, rather it is Indian government's strict measures against cross border movement and illegal infiltration. The Indian government have taken several initiatives to stop illegal immigration from Bangladesh; such as border fencing and round the clock border patrolling. In addition, the Indian government enacted laws and punishment procedures if caught under the Foreigner's Act. Undeniably, the enclave residents

in Indian side are profoundly victimised by these procedures. Since Bangladesh disregards Bangladeshi citizens' sufferings in India, I argue, the accountability equally lies with both the governments.

Secondly, Dahagram & A enclaves are connected with the home country Bangladesh through an access corridor as discussed before. These enclaves have a different reality than the rest of the enclaves in the region. They are part of the Bangladeshi administration, connected with the home country, and unexchangeable. Therefore, the general articulation of citizenship experiences in the enclaves, vulnerability and survival tactics will not include these two enclaves. These are not excluded from the enclave category because their connection with home country depends on day light and access to the home country was not trouble free. Although they do not rank as unadministered like other enclaves of the region, these two enclaves represent the shifting border through day time connection and night-time captivity.

And finally, the pilot study in the counter-enclaves and discussions with the counter-enclave dwellers reveal that these enclave dwellers are slightly disadvantaged because of their geographic location; however they do not live in a non-citizenship status like the enclave residents on both sides of the border. They are generally treated as the citizens in the host country. Therefore, the counter-enclave matters are excluded in the empirical chapters.

### **3.9 Conclusion**

Looking back to the methodological strategies adopted during the fieldwork, I feel the research needed a year long ethnography which could mediate the 'locational biasness' of this fieldwork and be able to provide a more detailed and deeper understanding of the enclave life located in Panchagarh, Bangladesh and Mekhliganj, India. Financial unaffordability and the three-years time frame of the PhD restricted such long fieldwork plan. That said, I would like to flag up some methodological lessons learned through this fieldwork.

Firstly, gatekeeper, researcher and researched dynamics can significantly influence the whole research process. Based on the experiences of doing ethnography with and without a gatekeeper, I believe gate-keeping, to some extent, is the *sine qua non* of gaining initial acceptance in a place where people do not have any word synonymous to 'research'; and people are extremely suspicious about a new-comer. However, it choosing the right gatekeeper and defining gate-keepers' role(s) in the specific research context requires caution. Significantly, making friendship with gatekeepers while doing fieldwork can develop over expectation and conflict that can negatively affect the research. Secondly, positionality is not only created by researchers' diverse identity or actions in the field but also created by the socio political realities in the field site. Most importantly, unanticipated incidents in the field site beyond researcher's

involvement can position a researcher in an awkward situation and re-position her/him unwanted in the field site. Fieldwork does not always happen in opportune moment- time, space and shattering events are powerful positionality deciding factors.

And, finally and most importantly, mental and methodological flexibility are crucial when doing ethnography on a sensitive matter in an unstable border zone where people are unaware of research. It needs continuous scrutiny over the continuously evolving issues over methodological choices, access options, gatekeeping dilemmas and balancing local politics. Methodological, theoretical and methodological flexibilities are essential alongside the flexibility to represent the study sites faithfully. I would like to conclude by saying that ethnographic approach enabled me to understand diverse but interlinked complex worlds, which my geographic imagination could not think of before entering into the field. Although I am from the global South my understanding of the everyday life in not-state places was limited and it was possible to enter into their world because of their willingness to educate me.

## From Citizenship to Abandonment: The Politics-Space-Law Nexus

### 4.1 Introduction

*The cruel twist of my fate is that I am a Bangladeshi enclave resident, who for generations, has been placed in India. My inherited land record says it is a Bangladeshi territory and, by birth, I am Bangladeshi. I have never seen any Bangladeshi official coming to see this enclave or us in my 65 years of age. To live, I have to enter India but Indians call me foreigner and detention in jail is an obvious fate if any Indian police catch me. Once I could manage to go to mainland Bangladesh endangering my life to the Indian border security force's hand but returned with huge frustrations, while Bangladeshis suspected me of being an Indian trespasser. We are nobody to them. I am an alien and stateless.*

(Ranbir Mandal, male enclave resident, aged 65, interviewed in a Bangladeshi enclave on 25 October 2009).

Ranbir Mandal's life story is not a unique experience. Rather it is a generic account of six decades of the protracted miseries of tens of thousands of enclave residents in India and Bangladesh. His story illustrates that the state abandoned citizens because of the enclaves' trans-territorial setting. In everyday life, negotiating territory means embodying a non-citizenship status. These residents enter the surrounding country for their economic survival and become victims of the sovereignty mechanisms (different forms of power/control and authority by the state) and law of the host state by being identified as 'illegal intruders'. The story also suggests the exclusion of these scattered pieces of territories from the state apparatus leading to insecurity and vulnerability for the people embedded in those places. Therefore, the nexus of geographic isolation, legal actions and political procedures excluded Ranbir Mandal from his *de jure* and *de facto* citizenship.

Citizenship is generally described as participation in and membership of a political unit or state along with rights and responsibilities (Delanty, 1997; Lister, 1998). However, citizenship in these enclaves is neither a status nor an advantage. Citizenship is officially authorised by the home state but never been actualised in these places. Consequently, the enclave dwellers are excluded from political participation, basic human rights and public services. In this context, everyday experience in the enclaves can be equated to non-citizenship, what I consider as abandonment in Agamben's (1998) term; However there is an occasional connection with the state through a vague thread of citizenship in emergency depending on the involvement of both states. Rarely, some lucky enclave residents get their home country's support during an extreme

tragedy such as natural hazard or risk to life like violent attacks. Arguably, such temporary shelter from the state can also be considered as humanitarian responses to refugees rather than the state's responsibility to the citizens. (Non)citizenship experiences in this trans-territorial trap can provide a distinct relationship between citizenship and abandonment shaped by political, spatial and legal factors. (Non)citizenship in the enclaves is distinct for two reasons; firstly geography, in the form of trans-territoriality, makes citizenship inaccessible in the enclaves; and secondly, both legal and substantive rights of citizenship are missing because of other legal measures (visa, border control, ID card) and political abandonment.

This chapter answers the first research question of the thesis by exploring the enclave-home country connection through the lens of citizenship and abandonment. It explores multiple overlapping interactions of PSL shaping and reshaping (non)citizenship in the enclaves by focusing on geography and law's role in unmaking citizenship; politico-legal actions by the involved states establishing temporary emergency citizenship; and enclave folks' political actions and citizenship aspirations using legal/illegal routes. Here, spatio-legal issues do not obscure politics from the process of unmaking citizenship; rather they highlight stronger relationships between geography and law in constructing abandonment. Here, unmaking citizenship means the home country endorses enclave residents citizenship but never actualised it. Similarly, political and legal actions strongly contribute toward transient emergency citizenship. In doing so, the chapter aims at contributing to differential citizenship in practice debates by providing an account of the lived experience of (non)citizenship as the state-citizen connections are generally non-existent. This is because the home state abandons its citizens. On the other hand, very short-lived state-citizen connections are occasionally visible for some enclave dwellers. In other words, there are moments of citizenship in the general experience of abandonment. Citizenship as a framework of analysis falls short of describing Ranbir Mandal, and thousands of other enclave dwellers' experience. Using Agamben's (1998) conceptualisation of abandonment alongside citizenship is a useful framework to understand such complex experiences of abandonment, temporary emergency citizenship and citizenship aspirations. With the examples of the everyday lived experiences abandonment, temporary citizenship and citizenship aspirations in the enclaves, this chapter also calls for more work on the everyday practices and lived experiences of (non)citizenship in different places across the globe.

This chapter begins with a concise discussion on the debates surrounding differential citizenship in practice. This discussion then moves onto the legal definition of citizen and citizenship provisions in India and Bangladesh and their impact on the enclaves. Section 4.4 illustrates the day-to-day experiences of abandonment without any citizenship rights in enclaves. It shows how spatio-legal factors constitute daily abandonment. Citizenship in emergency will be examined in section 4.5 to highlight how political relations between the concerned states offer

certain provisional citizenship rights to the enclaves. Section 4.6 deals with the enclaves' residents citizenship aspirations by taking the legal/illegal routes. The conclusion, then, summarises the chapter.

## **4.2 Differential Citizenship in Practice**

Citizenship debates critically engage citizenship as a concept and citizenship in practice. The meaning of citizenship is contested (Miller, 2000; Heater, 1999) and it is one of those slippery terms that means different things to different people (Lister, 1998). The conceptual aspects of citizenship explore whether it is a set of rights provided by the state (Marshall, 1950) or responsibilities to the state (Walzer, 1989; Etzioni, 1995). According to liberal perspective citizenship is both a status and a set of rights; as Oldfield (1990) uncovers that the rights based approach represents citizenship as a status and civic republican tradition portrays it as a practice. Such conceptual investigation is inadequate for understanding diverse citizenship practices and experiences across the globe. The citizenship in practice debates bring a wide range of citizenship practices in relation to the legal and illegal migrants and securitisation in Europe and North America (Benhabib, 2002; Muller, 2004; Walter, 2002; Walter, 2006; Coutin, 2010; Nyers, 2006; 2008); citizenship and indigenous rights (Yashar, 1998; Paterson & Sanders, 1998; Siddle, 2003; Davies, 2003; Castree, 2004; Walker, 2006); and transnationalism and citizenship in Europe (Delanty, 1997; Bader, 1997; Mitchell, 1997; Painter, 2002; Fox, 2005; Basniak, 2003). For the purpose of this chapter, I will focus on the debates on differential citizenship in practices. The ideal notion that citizenship grants equality amongst citizens of a political community is proved fallacious in practice as Derek Heater (1991:82) warns us 'beneath this ideal lies a tangle of reservations and contradictions'. In this context, differential citizenship debates turn a critical gaze on the contradictions that create the enormous gaps between the ideal proposition of citizenship in theory and in practice. This scholarship shows varying degrees of exclusionary (unequal allocation of citizenship rights) and reductionist (lessening or revoking citizenship rights) forms of citizenship experienced in different times and spaces. Drawing on these debates, I argue that the experiences of enclave residents go beyond exclusion or reduction of rights because of the abandonment of citizenship. I show a dimension of (non) citizenship constructed by active and interrelated functioning of PSL.

Scholarship on exclusionary citizenship highlights unequal rights in a multiplicity of identity lines. This includes, for example, issues as different as racialized residential urban segregation in the US violating the 'equal opportunity to all citizens' notion (Young, 1999) and the local legal complexities hindering national political schemes to promote lesbian and gay equality in the UK (Cooper, 2006). While Ruth Lister (1998) focuses on this critical gaze of social division and urban marginality, Delvin and Pothier (2006) vigorously put forward the concept of a 'regime of dis-citizenship' for persons in disability when their equal citizenship rights are

partially manifested in institutional, social and economic hierarchy. The inequality of citizenship also exists in the realm of gendered relations, as feminists argue the voting right or some welfare provisions for women are insufficient for equality in citizenship (Einhorn, 1993; Staeheli, 1994; McEwan, 2005). Yet Carr, Brown, and Herbert (2009) remind us that the dual tendency of law produces spatially sorted urban exclusion to undesirable others and inclusion and protection of desirable elites. Using three case studies from Seattle, the authors show how the homeless, teens of colour, and prostitutes are excluded as urban 'undesirables' while the law protects the 'properly-owning classes'.

Above-mentioned case studies reveal a complex politico-legal and institutional maze constructing urban marginalisation and unequal citizenship because of people's social class, race, gender, spatial identity, sexual orientation or disability. While these papers bring diverse case studies of exclusionary nature of citizenship, they make one common focus - the paradoxical use of law in a variety of identity lines. Such legal exclusions occur in everyday practices when these people enter in the public spaces. As Painter and Philo (1995: 116) powerfully put it: 'these various human groups, to varying degrees in the intensity of their feelings so being compromised, unwanted and excluded, are nonetheless turned into less-than-full-and-equal citizens of the places and societies in which they find themselves'. Such segregation creates claims on cities and also produces the political spaces of struggles (Holston & Appadurai, 1999; Holston, 1999; McFarlane, 2004). The exclusionary citizenship debates, however, fall short in providing insight on the abandonment of citizenship rights.

The reductionist nature of citizenship debates concentrates on the politics of stripping citizenship rights in varied degrees (Benhabib, 2002; Nyers, 2006; Walter, 2002; Walter, 2006). Thus, citizenship is not a permanent status once granted. With the example of Yaser Esam Hamdi's (so-called second American Taliban) release from detention in exchange for his volunteering to renounce American citizenship, Nyers (2006) shows that the acts of sovereignty enact and strip accidental birthright citizenship. Considering such temporary nature of membership in a state, he alludes that the distinction and hierarchy between essential and accidental birthright citizenship in relation to their dispensability. In Salter's (2008: 377) words, "there are bureaucratic fig leaves which conceal the raw power of the sovereign to 'denaturalise' citizens". Besides, the irregular political practices by the state (irregular form of unmaking citizenship) take part in making and unmaking citizenship (Nyers, 2011). He makes a compelling analysis of irregular methods such as, blocking a citizen's return to the country of citizenship or removing rights in the country where the citizen belongs. Neither dispensable nor irregular citizenship is a formal revocation of citizenship rather these are politico-legal acts to force birthright citizens to sacrifice their citizenship or the irregularisation of regular citizens. Yet, on another level, there are examples of a reinforcement of policies and laws to denaturalise birth right citizens in a heightened risk society context (Macklin, 2007; Rygiel, 2008). All these

examples are of a reductionist nature of citizenship leading to a spectrum of impermanent racialised citizenship on political grounds. However, a reverse example is reflected in Kavar's (2010) piece. The paper shows native citizens are recast as aliens in the shadow of liberal law to provide the geopolitical interest of Israeli territorial expansionism in Jerusalem. Suffice to say that the reductionist nature of citizenship is an active and spectacular political project for formal/latent invalidation of some people's right to citizenship.

Unlike forceful political decisions to withdraw nonessential citizenship rights, the story of Ranbir Mandal epitomises that his citizenship rights were politically ignored while the state kept the enclave ungoverned. Such characteristics make it distinct from the reductionist category of citizenship. Ranbir Mandal's experience also suggests it is not an exclusionary nature of citizenship. The non-existence of any citizenship rights for the enclave residents indicates the absence of citizenship rather than exclusion from some rights. In practice, the enclave dwellers' citizenship is officially endorsed, rights are recognised but entitlements are not enforced. In this way, the enclave dwellers are abandoned. In the critical spaces beyond exclusionary and reductionist kinds of citizenship, the enclaves show a situation of abandonment while there are moments of citizenship. Although both the concepts exhibit completely reverse aspects of life, there is a relationship between them in the enclaves' context what I am exploring in the following paragraphs. On a daily basis, the enclave dwellers experience non-citizenship; the formal and substantive citizenship does not apply in practice. Therefore, citizenship as a framework of analysis is not helpful to explain such experiences or dynamics of PSL interplay. Rather abandonment, in Agamben's (1998) terms, is helpful to understand their day-to-day non-citizenship.

Agamben (1998) defines abandonment as an active relational process which eliminates a citizen's political, legal and economic values. The process of abandonment keeps the territories out of the legal system and constructs bodies outside the protection of law. Although Agamben's initial articulation of abandonment was in relation to the World War II concentration camps, the contemporary relevance of the technology of abandonment includes enemy combatants or refusal to extend legal rights to immigrants (Pratt; 2005; Agamben, 2005). In the context of the enclaves', the home country acts as a sovereign power and abandons the enclave dwellers from all citizenship rights; however they are not legally excluded from the home country. Agamben specifies that the abandoned person remains in a relationship with the sovereign power in a form of included through exclusion. The enclave dwellers remain excluded through inclusion in relation to the home country, which will be deeply explored in the sixth chapter.

While citizenship as a framework is not useful for exploring everyday non-citizenship, there are moments of citizenship in the form of emergency citizenship. There are certain circumstances,

linked to time and politics, when a transient form of citizenship opens an important facet of life to some enclave dwellers. Echoing Shapiro (2000), I consider that there is a critical relationship between the politics of citizenship and temporalities. Depending on the involved states' political relationships, some enclave dwellers citizenship experiences change temporally. While this situates some people in a privileged position through construction of the politico-temporal subjectivity, other enclaves and enclave dwellers live in abandonment. In this consideration, the enclave dwellers live in different but overlapping temporal traces (Shapiro, 2000). It is worth noting that these are the splinter of political, social or legal rights. Occasional existence of few state services such as subsidised goods or right to vote is far degradation from exclusionary citizenship. While both the involved states gradually construct non-citizenship through abandonment and occasionally offer emergency citizenship, there are aspirations of citizenship in the enclaves.

The enclave dwellers also try to change their non-citizenship in a reverse direction - from abandonment to citizenship. Recently, the enclave dwellers are raising their voices against non-citizenship. They want early exchange of the enclaves so that they can merge with the host country. Through acts such as raising the host country's flag in the enclaves, taking the host country's streets as a space for claiming citizenship and conducting hunger strikes for an early exchange of the enclaves, the enclave dwellers perform citizenship as Isin and Nielsen (2008) put forward in the book *Acts of Citizenship*. Isin (2008) interprets the act of citizenship is the way people endorse themselves in opposition to the alienating relationships in which they are caught. The central focus of the acts of citizenship is on the moments and acts that turn a subject, irrespective whether citizen or stranger, into a citizenship-claimant. The acts of citizenship follow three key principles; such as subject becomes activist citizen through scenes created; acts produce actors and acts of citizenship may not be founded in law (Isin, 2008: 38-39). Citizenship aspirations in the enclaves are linked to all three characteristics of the acts of citizenship, which I will describe in this chapter. In Painter and Philo's words (1995: 117) spatial tactics such as occupying tiny spaces perhaps only for fleeting moment of time is a quite other kind of citizenship- 'a citizenship of non-citizens' can be fostered. To understand citizenship, the citizenship claims alongside the 'despair over citizenship's exclusions are necessary (Nyers, 2010). Such investigation provides an understanding of *why* and *how* citizenship struggles are produced and continued, as Holston and Appadurai (1999: 189) argue, through the lived space not only of citizenship's uncertainties but also of its emergent forms. Considering emergency citizenship and act of citizenship (Isin, 2008) aspirations, the framework of citizenship is not dispensable all together. Certainly, the dimensions of abandonment, transient emergency citizenship and citizenship aspirations bring a complex theoretical puzzle, but such a complex puzzle operates in the lived experiences of the enclave

dwellers. All together, this reveals a multifaceted yet enduring relationship between abandonment and citizenship as will be illustrated in the following sections.

### **4.3 Citizenship Provisions in India and Bangladesh**

This section focuses on the legal definition of citizenship and constitutional citizenship rights in India and Bangladesh to understand citizenship provisions in both the countries and their impact on the enclaves. The Indian Constitution endorses single citizenship provision by declaring ‘none can hold Indian citizenship in conjunction with any other nationality or citizenship’ (see section 09, Indian Citizenship Act, 1955). As a consequence, Indian enclave residents in Bangladesh will automatically lose Indian citizenship if they have the host country’s citizenship. Besides, legal definition of Indian citizenship is complex and is a combination of *jus sanguinis* (citizenship by inheritance) and *jus soli* (citizenship of land) (see Indian Citizenship Act, 1955; Indian Citizenship (Amendment) Act 2003). Yet it is related with additional factors being ‘domiciled’ within the country (Gooneswkere, 1996); such as parent’s nationality and legal status in India, which complicate citizenship issues in the enclaves. Under the current law, someone born in India can be an Indian citizen if she/he was born before 1<sup>st</sup> July, 1987; someone born between 1st July, 1987- 2<sup>nd</sup> December, 2003 should have either of the parents as an Indian citizen; someone born since 3<sup>rd</sup> December, 2003 should have either of the parents as Indian but other parents must not be an illegal immigrant (Indian Citizenship Act, 1955; Indian Citizenship (Amendment) Act 2003). According to this law, if any Indian enclave resident marries a Bangladeshi citizen and lives in the enclave, their children cannot be Indian citizens since one parent is an illegal immigrant. Similarly, Bangladeshi enclave residents marrying a mainland Indian citizen means their children are ineligible for Indian citizenship. In both instances, marital connection between the enclaves’ folks and the host country citizens risk their future generation’s citizenship and nationality. Citizenship law by birth in Bangladesh is primarily concerned with the person’s nativity in Bangladesh’s territory on or before independence and allows dual citizenship since 1980; therefore, legal definition of citizenship does not affect Bangladeshi enclave dwellers.

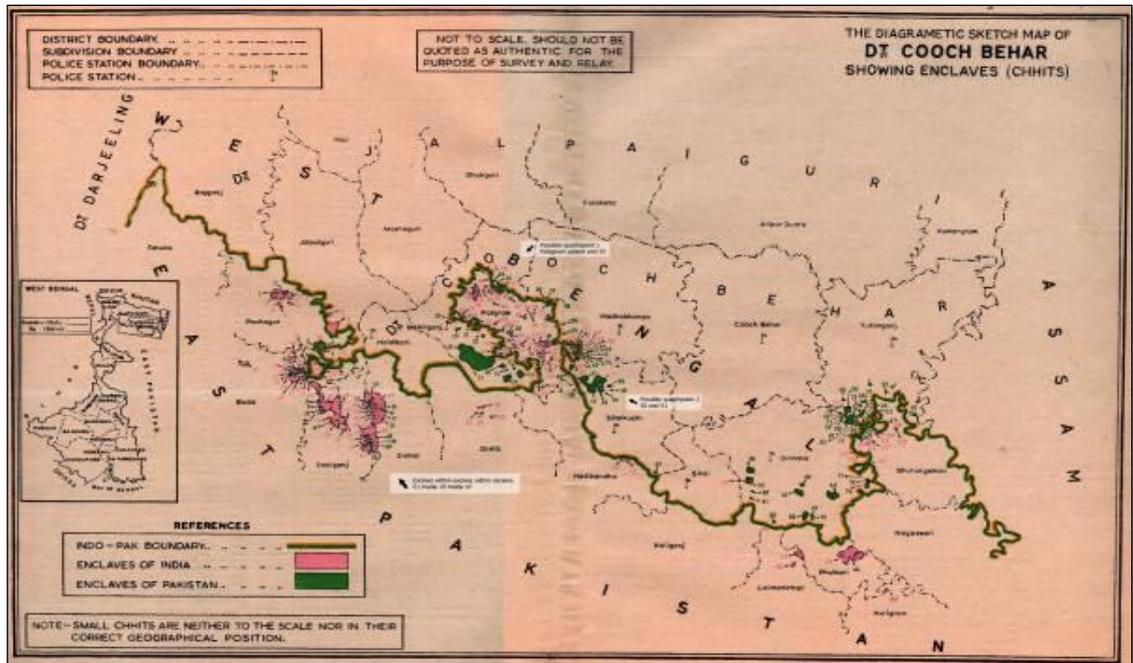
The Indian and Bangladeshi constitutions enshrine citizenship rights to all but do not make it accessible in the enclaves. The preamble of the constitution of Bangladesh commits to guaranteeing economic, political, social and legal aspects of citizenship rights to all citizens. In a similar manner, the Indian constitution promises seven fundamental rights to the citizen; such as right to equality, right to freedom of speech, right to freedom of religion, rights to property, right against exploitation, cultural and educational rights and right to constitutional remedies. Besides the general promise of rights to equality, the constitutions declare no discrimination on the grounds of religion, race, cast, gender and place of birth and commit to improve disadvantaged citizens’ situations. Like many other modern states, the Indian and Bangladeshi

constitutions, thus, attach formal rights to their citizens and promise egalitarian society. In practice, Bangladesh and Indian governments have taken special arrangements on education, employment, and social facilities targeting disadvantaged groups and women. As a symbol of political belonging, both India and Bangladesh introduced national ID cards; and all the constitutional rights and special facilities to marginalised groups are conditioned with this card holding. Crucially, however, the ID card based citizenship construct the condition of (non)citizenship, which will be illustrated in the section. This is for the reason that the constitution and the citizenship policies are designed and evolved in a fashion of contiguous nation-state disregarding the existence of the enclaves. Therefore, every attempt that India or Bangladesh takes to unite their citizens yields a new form of exclusion to the enclaves and enclave dwellers.

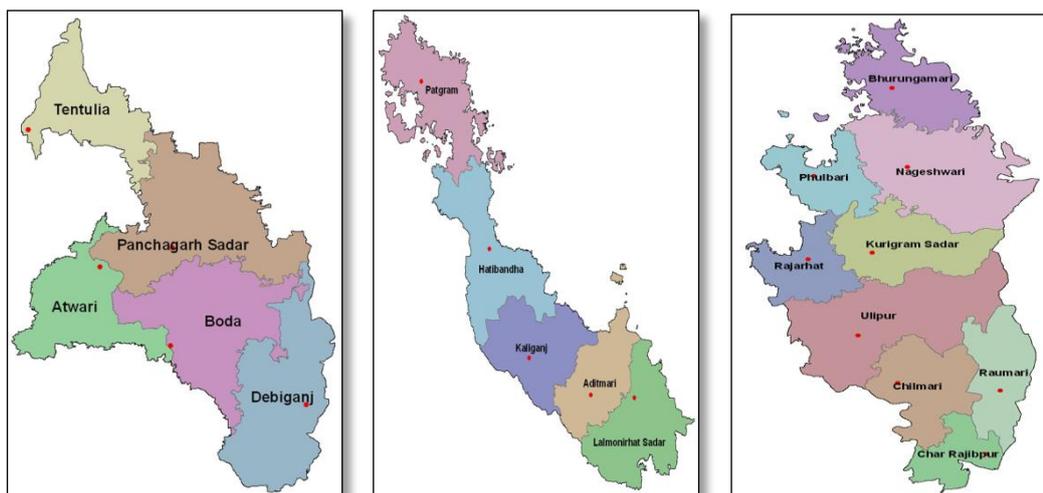
Contrary to the Indian and Bangladeshi constitutional promise of non-discrimination on citizen's geographic belonging in any part of the state's territory, citizenship has not been extended to these enclaves for more than six decades. The institutional dimension of *making* and *doing* of citizenship practices is missing in the enclaves since the home country is not governing these scattered territories. All these enclaves are administratively tied up with the district of Cooch Behar in India and the districts of Panchargh, Lalmonirhat and Kurigram in Bangladesh. A look on the official district maps of both the governments neither provides any clear and comprehensive identification of their own enclaves nor clarifies the territories out of their jurisdictions. Commonly, they are just omitted from the map (maps 4.1a-c). If any one comes to the local administrative authority on enclave matters, they open up their antique file of the enclaves and only recite the number and name of the enclaves under their jurisdictions along with few newspaper reports if any major incident has occurred so far. I was told there were administrative difficulties to ensure governance inside their enclaves because of the international border. However, there was an impression that all of their citizens (enclave residents) have already been converted to host countries citizen. This is not only a cartographical omission of the enclaves; this is the abandonment of the tens of thousands citizens citizenship status.

There are inequalities in citizenship practices in India and Bangladesh. In reality, the constitutional declaration of equality is not adequate to bring equality in practice. As Rajan (2003) argues Indian constitutional equality provides the language for political demand, but the Indian state does discrimination by keeping various laws in place. On the other hand, there are examples of invisible citizens in Mumbai when urban slum-dwellers are victim of the politics of citizenship (Appadurai, 2002). Thus, the government discriminates against citizens with dubious commitments and controversial positions. In the context of Bangladesh, the constitution ensures equality only in public life, thus a gendered inequality exists in private life (Pereira, 2002) and the government violates the constitutional rights as the legal system provides uncertain recourse

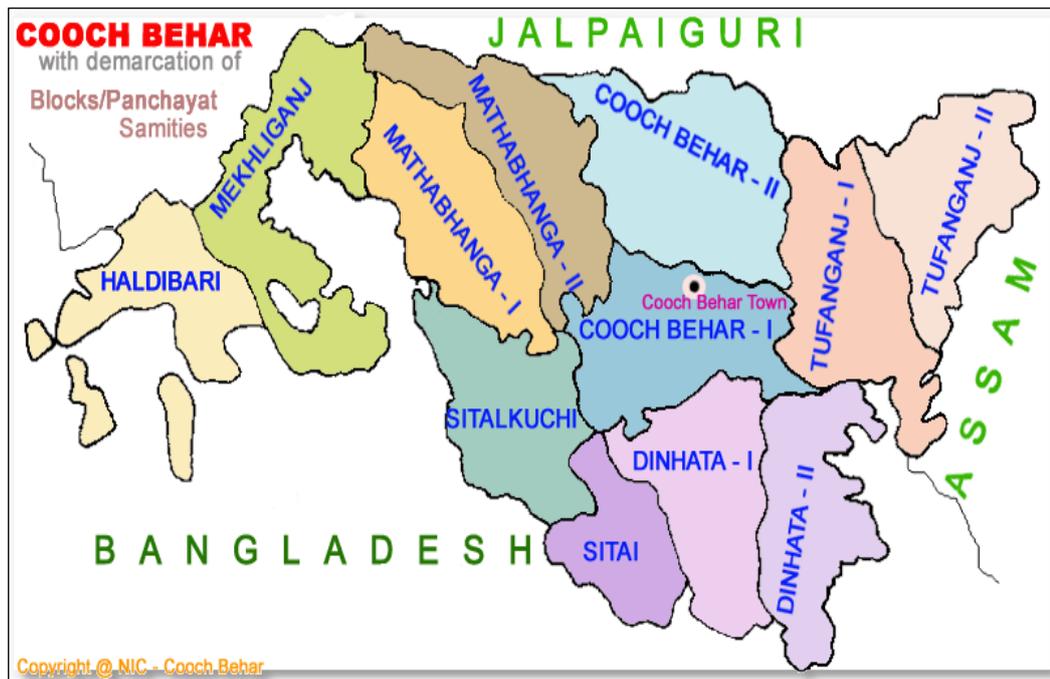
to justice (Kabir, 2005). While these are examples of unequal citizenship and dual tendency of law, the enclaves suggest abandonment of citizenship for residents, on the grounds of their ‘place of birth’ that is surprisingly unacknowledged in the citizenship literatures on India and Bangladesh.



Map 4.1a: Map showing enclaves in India and Bangladesh (Source: Whyte, 2004)



Map 4.1b: Official maps of the districts where enclaves are located in Bangladesh without any clear indication of the enclaves (Source: <http://www.dclalmonirhat.gov.bd/>)



**Map 4.1c: Official map of Cooch Behar and no indication of the enclaves except the Dahagram and Angorpota enclaves (Source: [http://coochbehar.nic.in/htmlfiles/nic\\_cob.html](http://coochbehar.nic.in/htmlfiles/nic_cob.html))**

#### **4.4 Day-to-day Abandonment in the Enclaves**

This section focuses on the everyday construction of abandonment in the enclaves. In practice, national identity cards or passports legally construct the formal proof of belonging to the political community in India and Bangladesh. Almost none of the enclave residents have such documented belonging to the nation-state; thus they become the undocumented people of India and Bangladesh. Ali Hossain (aged 65), resident in Lotamari enclave, is completely disconnected from India despite his official status as an Indian citizen. The fenced international boundary and armed border forces restrict his mobility to India since he lacks proof of nationality. Every Indian is entitled to a ration card from his nearest administrative office upon completion of an application form accompanied by their birth certificate. This ration card is a prerequisite for a voter card, possession of a passport and all citizenship rights. The absence of formal administration in the enclaves deprives Ali Hussain of a birth certificate. Thereby, he is ineligible for an Indian ration and voter cards. He only holds land registration papers showing the land he owns is Indian but is inadequate to prove his membership in India and claiming his formal citizenship rights. Given this fact, Ali Hossain has never had the chance to cast his vote and he does not know when the election runs in West Bengal. Similar procedures exist in Bangladesh, the national identity card is the basic document confirming political belonging to the state. Ali Hussain's story tells that the enclave residents are deprived from the basic principle of citizenship, i.e. the formulation of the political belonging to a nation-state. The interplay between citizenship technologies, geographic isolation, and the politics of turning a blind eye to enclave realities anonymised Ali Hussain from his rights to citizenship. Thus, the

home country abandons the enclave dwellers from any formal citizenship rights through the vicious circle of the bureaucratic processes.

There are debates that substantive citizenship rights might be achievable without a formal status as citizen (Holston, 1999; Holston & Appadurai, 1996). On the contrary, the absence of formal citizenship endangers the possibilities of achieving any substantive rights to citizenship in the enclaves. Here, substantive citizenship means the enjoyment of the rights and obligations associated with the membership such as civil, social and economic rights. Civil rights include basic elements of the rule of law, equality before the law, freedom of speech, right to own property and right to justice. However, these civil rights are foreign to the enclave folks when there is no law-enforcing agency in the enclaves; as such reflected in Utpal Mandal's provocative assertion when I asked him about the situation of rule of law in the enclaves,

*If any enclave resident kills another fellow, Indian police will not interfere in foreign affairs and Bangladesh police cannot or will not continue investigation across international border. If any Indian kills an enclave resident in the enclave or vice versa, Indian police have no authority to conduct a homicide investigation in this foreign territory. None from this enclave can cross the border to file a murder case in Bangladesh. Even if someone does, Bangladesh police cannot run a case against Indian citizen. By law, it is a law-free zone!*

Utpal Mandal's (male enclave resident, aged 35, interviewed in a Bangladeshi enclave on 25 March 2010)

Utpal Mandal's insight about exteriority to the laws is a manifestation of a complex zone of legal decision-making leading to a (il) legal decision of abandoning enclavepeople's civil rights. The situation precisely reflects Agamben's (1998) conceptualisation of abandonment and lawlessness. Two legal regimes are entangled in the enclaves' spaces and produce a 'law-free' or lawless zone. There were incidents of killing inside the enclave without making any police case. A former Member of Parliament explains such lawlessness as 'rule of jungle' while he tried to get the Indian government's attention on enclave issue (Roy Pradhan, 1995). The absence of the rule of law for the enclaves creates risk to life, exposure to extortion and vulnerability to all kinds of exploitations. This contradicts article 31 and 32 of the Bangladesh constitution, which promises to protect citizens by the rule of law. In addition, this is the violation of the basic human rights. In such circumstances, freedom of speech is unimaginable and enclave residents generally grieve in silence. Unlike Dahrendorf's (1988:37) acknowledgment that the most obvious weakness of civil rights is its serious inequalities of entitlement, Utpal Mondal's assertion clearly indicate nonexistence of any entitlement to civil rights and vulnerability of lawlessness.

The enclave dwellers are also deprived of social citizenship. Although the concept of social citizenship is materialised in welfare states, Bangladesh and India provide provisions for social

rights as mentioned in the last section. There are nationalised schools, public health services to all, benefits for people below the poverty line, free education, stipend to the poor elderly people, land to the landless people and so on. These are not available to enclave residents. Needless to mention, inequality among the social classes is highly noticeable in India and Bangladesh despite their constitutional assurances (Rajan, 2003; Kabir, 2005). Social rights are crucially resource dependent and the range and level of social rights are, in part, dependent upon the country's economic growth; hence Both India and Bangladesh are far away from ensuring social equity. However, there are measures in place and marginal people have benefited from these measures. None of the enclaves are part of these measures to overcome their severe economic deprivation. Generally, enclave dwellers are well below the poverty line and a majority people are landless; thus they are eligible to have land under both the governments' schemes. However, they are excluded from these policies and plans, as reflected in the below conversation with a Government official, who was involved with such scheme in Bangladesh,

*Q: Who receives the landless grant?*

*A: We conduct household surveys in the second tier of administrative unit, Upazila, and select the landless people who are eligible for the scheme.*

*Q: Do you consider enclave dwellers living in the Indian enclaves in Bangladesh?*

*A: No. Why should we count the foreigners? It is a national scheme and counts only Bangladeshi citizens.*

*Q: Have you counted the people living in the Bangladeshi enclaves in India who belong to this Upazila?*

*A: No. We know nothing about those enclaves and no administrative connection has so far been established to resume such survey. They are not included too.*

(Anonymous, Government official, interviewed in Bangladesh on 20 January 2010),

Indian/Bangladeshi enclave residents are not only excluded from this survey but also excluded from all national measures to ensure social equity run by both the governments. It is surprising that the involved government officials in 'social equality schemes' are strictly vigilant eliminating 'alien poor' from the national schemes while such nationalistic feeling excludes their fellow citizens in enclaves, who are cut off from the mainland. Here, the government official brings the legal framework of citizen/foreigner binary to exclude enclave-foreigner from social citizenship. While he recognises the enclave-citizen's social citizenship rights, those rights are ignored on a ground of spatial and administrative remoteness. Thus, law, institutional practices and geo-administrative remoteness construct abandonment complicating the inside/outside logic of citizenship. Consequently, these underprivileged enclave residents pay higher prices (sometimes two/three times higher) to collect subsidised necessary items from the local market. With no other alternatives, they work hard to survive. The rhetorical inclusion of the enclave-citizen and material exclusion to their social citizenship maps onto the abandonment

of citizenship under legal and quasi-legal framework. In Bosniak's (2006) terms external spheres of the border and internal spheres of belonging arbitrarily produce ambiguity and alien.



**Fig 4.1a: An ordinary enclave resident's house**



**Fig 4.1b: Preparation for a dark night in an enclave.**



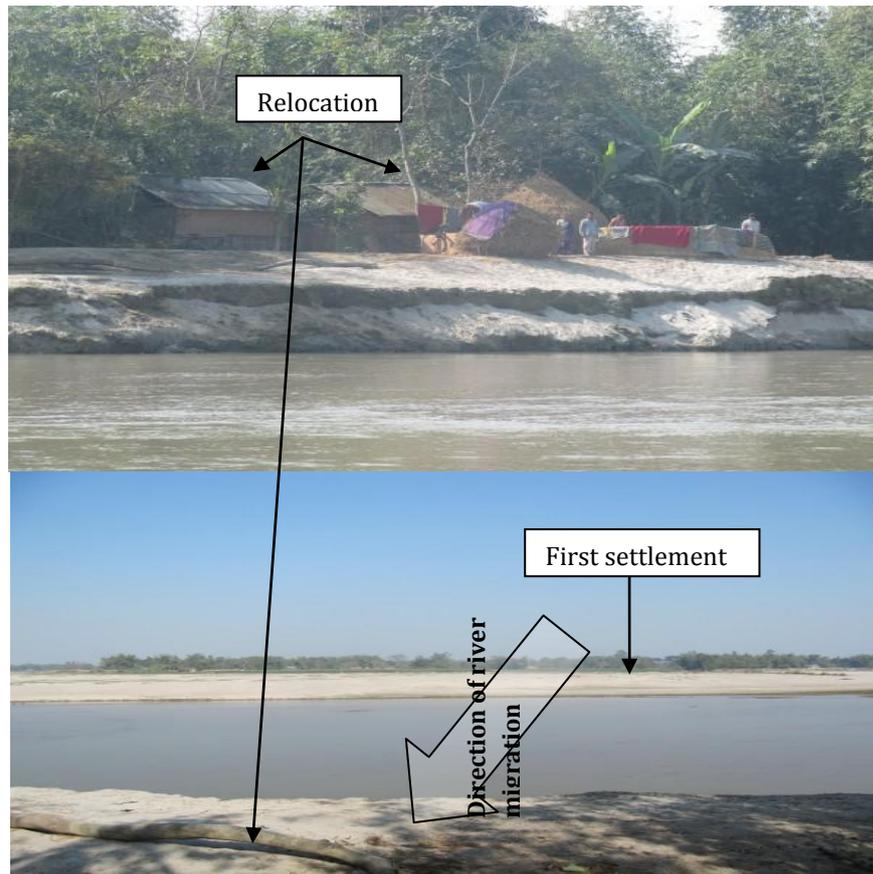
**Fig 4.1c: A typical enclave road (left image); minimum standard of rural earthen roads in Bangladesh which is similar to India (right image).**

Enclave residents are not only excluded from special government measures but also excluded from education and other basic services. Most of the enclave dwellers are farmers and day labourers and did not get the opportunity of education since there is no school in the enclaves. Few people manage to finish primary school in the host country. None of the enclaves has any medical services from their own country. Besides, enclave dwellers are cut off from any development works including road constructions (*see* figures 4.1a-c).

Enclave residents are not only deprived from their due citizenship rights, they are victims of the natural hazards like flood and river bank erosion (figures 4.2a and 4.2b). Participant observation during the fieldwork revealed that the enclaves close to the river become victims of riverbank erosion. Many enclave residents become environmental refugees and internally migrated to other nearest enclaves. For example, half of the enclave Kismat Batrigach in India has been washed away by the river Singimari (fig 4.2a). Many people of this enclave have lost all of their agricultural lands and houses in the river and became landless. The enclave dwellers were claiming that the embankment in other side of the river makes the enclave more prone to the riverbank erosion. Similar type of riverbank erosion exists in the Bashkata enclave in Bangladesh. Twenty years ago, Prodip Podar was one of the wealthy enclave dwellers, in comparison to other enclave residents in Bashkata enclave, but the river has eaten into all his properties. The only resource he has now is the house, which is also under the threat of erosion (fig 4.2b). Flood irregularly affects these places; however the cold wave during winter makes the poor enclave residents very vulnerable since they not entitled to have winter clothes supplied by the government or NGOs. Enclave dwellers, in the study areas in both sides of the borders, were complaining that they never received any support from either country during such natural hazards.



**Fig 4.2a: River bank erosion and a collapsed mosque in Kismat Batrigach enclave (top); some of the residents of this enclave could still identify their previous houses were somewhere in the middle of the present river (bottom).**



**Fig 4.2b: River bank erosion at Bashkata enclave: the sandy bar was the house and agricultural land for one family at Bashkata enclave in Bangladesh (bottom); the displaced family is victim again in river bank erosion (top).**

This section shows how the enclave dwellers are downgraded from the citizenship to abandonment by the spatio-juridical logic of the home country. In general terms, the enclave residents are declared as the home country's citizens without documenting their membership. In the age of ID card based citizenship, the politics of citizenship that makes identity disqualifies enclave residents from claiming their formal and substantive citizenship in the home country. On the other hand, citizenship is inaccessible in the enclaves because the geography of citizenship is not extended to these places. These twin legal paradoxes abandon the enclave people from any citizenship rights through the construction of exclusive inclusion. However, the abandonment of citizenship illustrated in this section is not synonymous to bare life, in Agamben's (1998, 2005) terms, rather it is the construction of a human condition when they are kept outside the law and other rights to citizenship. Bare life is constructed when these rightless bodies are included in the host country's sovereign power, as will be articulated in a later part of this thesis (*see* chapter 6). In the following section I will concentrate on the temporality of citizenship/noncitizenship dynamics fashioned by bilateral politics and ambiguous application of the law.

## 4.5 Bilateral Politics, Legality and Transient Emergency Citizenship

The twists and turns of India/Pakistan/Bangladesh relations are vigorously reflected in the borderland in terms of flexible/strict border control and handling of the enclave residents' citizenship. There are moments when bilateral politics directly or passively provide certain aspects of citizenship rights to individual enclave residents or to an enclave. I define such occasional state-citizen relations as transient citizenship, which manifests the changing nature of citizenship rights over time. The Mashaldanga enclave in India intermittently becomes victim and beneficiary of the fluctuating bilateral relations and is an interesting example of the transient nature of citizenship in the enclaves. Because of this enclave's proximity to the Indo-Bangladesh border and home country (only forty-eight yards away from Bangladesh) the enclave residents are connected with the home country through formal and informal connections with the border guards and local administration. Since partition, India-Pakistan hostile relations and communal victimisation severely affected Mashaldanga. The leftist political groups in India torched the whole enclave in 1965 and forced all enclave residents to flee from India. Enclave residents took emergency exit to East Pakistan (Whyte, 2002). On the brink of India-Pakistan war, these enclave residents were considered as repatriates and received emergency shelter in refugee camps until the independence of Bangladesh (field note, 04 March 2010). Immediately after Bangladesh's independence, Bangladesh and India commenced friendly relations through a friendship treaty concerning peace and security, and two trade agreements. During such friendly relations Bangladesh sent the refugee enclave residents back to the enclave. Participant observation with the Mashaldanga residents, some of whom took emergency shelter in Bangladesh, revealed that the Indian government financially supported enclave residents rebuilding their houses.

The friendly relations between India and Bangladesh after Bangladesh's independence provided an opportunity for the borderland people to cross the border freely, as articulated by almost all respondents in the study areas (*see* Van Schendel, 2005; Cons, 2012; and also *see* Junayed ali's quote in chapter 5, section 5.3). This open border provided an opportunity for Mashaldanga enclave establishing formal administrative connection with the home state. However, such administrative connection with the home country did not occur for any other enclaves in my study sites. Hussain Member (aged 65) was elected as chairman in a Bangladeshi *Word*<sup>6</sup> election in 1973. Besides the best bilateral relations, close proximity to the border and Hussain Member's personal connection with Bangladesh created such a unique case. Hussain Member administered a Bangladeshi *Word* staying in the enclave and brought subsidised government

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<sup>6</sup> *Word* is the lowest administrative unit in Bangladesh and the representatives are elected through election. South Mashaldanga enclave is part of the 'Word 1' in Kurigram district Bangladesh.

items into the enclave, being a public representative (Hussain Member, aged, 65, interviewed on 05 March 2010). Hussain Member achieved his political rights to citizenship and brought some forms of formal and social rights to some other enclave residents in Moshaldanga. It is a remarkable case of trans-territorial administrative activities defying the legal norms of international mobility across the border. Neither country's border guards obstructed them to run cross-border election campaigns, casting vote in Bangladesh and Hussain Member's activity as elected member of Bangladeshi *Word*.

On 15 August 1975, the assassination of the then President of Bangladesh and the protagonist of the Awami League (AL), Shekh Mujibur Rahman, in a military coup created hostile India-Bangladesh relations. These big developments in the bilateral relations have had several local ramifications. The border became more heavily guarded and informal cross border connections were discontinued (Van Schendel, 2005). Consequently, Hussain Member failed to continue his political career and all the Mashaldanga people lost connection with the homeland. Hussain Member re-established the old connection with Bangladesh later and became chairman again; however it was not successful, as the border has never been so open as it was immediately after Bangladesh's birth. The dynamics of border's function filtering legal and illegal international mobility becomes ambiguous and politically instrumental in this case.

Mashaldanga was re-attacked in May 2000 and people fled to Bangladesh following an incident of an inter-religious love story in a neighbouring Indian village. One Hindu woman and Muslim man got married and ran away from home. The rumour of their shelter in Mashaldanga triggered violent attacks. 50 Bangladeshi women were molested, 50 houses were burnt to ashes, over a hundred cows and goats were stolen and 15 people were injured by bullets (The Independent, 23 May, 2000). This time more than 500 people took emergency refugee shelter in Bangladesh and that received wide media coverage in Bangladesh. These people were forcefully sent back home within two weeks although security concerns in the enclave remained unchanged. Hussain Member claims that the then Bangladesh government did not want to embarrass India immediately before the national election and abandoned them for the sake of good relations with India. The temporalities of transient citizenship in Mashaldanga are shaped and reshaped by the local influence of Indian and Bangladeshi foreign policy in which the politics border has had a signifier affect.

Transient citizenship is also an instrument to embarrass neighbours in a hostile environment. India-Bangladesh relations reached a nadir, and diplomatic ties were discontinued immediately after 9/11 when the right wing parties formed governments in both the countries (Singh, 2009). During such difficult relations a judicial trial of a murder in a Bangladeshi court caused political tensions surrounding the Lotamari enclave. Bangladeshi police filed a homicide case against six Indian enclave dwellers for murdering a Bangladeshi national, Mir Ahmed, despite the

murdered man also being an enclave dweller. Ali Akbar claimed that he and other five enclave residents repeatedly informed the police that they are Indian enclave residents but the police transferred the case to the court (Ali Akbar, aged 27, interviewed in an Indian enclave on 15 November, 2009). Seemingly, the local police filed the case based on a political motive. Ali Akbar along with five other enclave residents fled to India when they were on bail. He, then, appealed to local Indian administration asking, ‘Whether a Bangladeshi court could try on Indian citizen?’ Indian newspapers highlighted the issue as the Bangladeshi ruling party filed the case to harass Indian citizens (Uttarbanga Sangbad, 29 July, 2004). The case was finally withdrawn after the Indian local administration’s legal challenge to this judicial trial. While the media and administration stressed the illegal actions of Bangladesh to prosecute Indian citizens, there was no attempt to resume a homicide investigation from the Indian side. It is ambiguous whether Akbar Ali’s release from any homicide trial through a political passage rather than a legal process provided him civil rights, but the killed man was denied justice. This suggests the political use of the story in hostile relations rather than considering the safety of life of citizens. The story resonates with Utpal Mandal’s remark - ‘*by law, we are in a law-free zone*’. Such glimpses of citizenship did not reduce the lawlessness of abandonment in the enclave rather re-established it as a law-free zone.

On the contrary to the everyday (non)citizenship, geographic isolation and legal exclusion, transient citizenship signify political attention, geographic connection and legal inclusion through quasi-legal methods. Therefore, it provides valuable insights into the processes, practices and relations of the involved states constructing the temporalities of citizenship in the enclaves. The stories presented here suggest that transient citizenship is demonstrated as a short-lived product of state politics and the dualism of law. Both the states define their citizenry as an asset and property (Nyers, 2011). Transient citizenship demonstrates that citizenship not only changes geographically but also temporally. It also hints that the temporalities of the experiences of abandonment and transient citizenship are politically constructed. In addition, the multiple functioning of the border in separating and uniting enclave people with their due rights reveals complicated geographies of the border.

#### **4.6 Political Struggles, Law and Citizenship Aspirations**

This section concentrates on the counter-acts of some enclave residents to reserve the experiences of abandonment. Since 2010 a new space of political struggles emerges in the enclaves demanding the host country’s citizenship under the leadership of an Indian civil society organisation, the India-Bangladesh Enclave Exchange Co-ordination Committee (IBEECC). Non-violent activities such as symbolic merger with host country, peaceful rally, demonstration, hunger strike and tactical use of law are the methods of claiming citizenship in the host country. In this context, the enclave and the host country are the sites of becoming

political. These political acts are, in effect, subverting the host country's mundane sovereign measures and ignoring the home country's sovereign authority over the enclaves. Although Holston (1999) considers collective actions make people claimants, the enclave residents are aware of their powerlessness and agency is essential for such actions. IBEECC speaks on behalf of the enclave residents, organizes events, manages finance and mobilizes enclave residents.

The first phase of this political struggle makes a symbolic merger with the host country by flying the Indian flag in some Bangladeshi enclaves on the Republic day of India (*see* fig 4.3a); and by flying Bangladeshi flag in some Indian enclaves on the 'International Mother Language Day' on 21 February<sup>7</sup> (*see* fig 4.3b). Imran Mia (aged 45, field note, 03 March, 2010) explained their excitement, '*we flew the Indian flag, sang Indian national anthem and declared ourselves Indian!*' This is the moment when Imran Mia and other enclave residents became political. In Isin's (2002) words, this is the moment when enclave residents became publicly capable of judging 'just' and 'unjust' and claimed their rights and identity. However, the incident was not newsworthy in either country's national dailies and disappointed enclave residents and the IBEECC. While the first phase failed to bring success, The IBEECC took the struggle to the Indian mainland giving a new site of political engagement. It brought thousands of enclave dwellers in Cooch Behar district to a political gathering of the State Minister, Budhdha Dev. For the first time they walked to the town without hiding their identity. Although, it embarrassed the State Minister in front of the oppositions, IBEECC achieved advertising success. BJP criticised the State Minister by claiming that, 'the Minister created overwhelming crowd with the admittance of Bangladeshi people' (Uttarbanga Sambad, February 13, 2010). The remark stands for the sensitivity of the issue in Indian politics. The participant observation of another rally to the to the District Magistrate office (fig 4.4), Cooch Behar reveals that the majority of Indians on the street felt that the Indian streets do not belong to the enclave dwellers as one man said, '*Bangladeshi people rallying on Indian streets that is unacceptable*' (field note, 18 March, 2010). Such intolerance also provides another line of sight. Remarkably, the security forces did not barricade the enclave residents' illegal mobility to the town and allowed the undocumented foreigners to enter India. Thus, enclave residents are to some extent involved in political participation in the host country. With this they imposed themselves upon the political scene. Seemingly, claimant enclave residents are powerful than any other time, as they were not obstructed on their way to the Cooch Behar. The success of the second phase in political participation, IBEECC goes further to claim rights to the newborn baby's birth certificate. The

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<sup>7</sup> The date represents the day in 1952 when students demonstrating for recognition of their language, Bangla, as one of the two national languages of the then Pakistan, were shot and killed by police in Dhaka. The UN declared the day as the International Mother Language Day in February 2000 to promote linguistic and cultural diversity and multilingualism.

success of IBEECC's radical but peaceful movement is their successful mission of achieving newborn enclave baby's birth certificate. It does not indicate that a birth certificate equate to citizenship but it is one step better than living like invisible human being. This act stands for rupture, or break the given orders and practices (Isin, 2008: 36).

Besides the occasional taking to the street as site of claiming citizenship, IBEECC tactically uses legal grounds to stay visible in the media. It cleverly picked up Maimana Khatun, an Indian woman who married to an enclave resident and living in the Poaturkuthi enclave for last thirteen years, to contest a West Bengal election. She was chosen as she has the full legal rights to contest Indian national election (*see* Indian Citizenship Act, 2003); however practically women married to the enclave resident lose their citizenship rights. Her candidature in the election caused anxiety in the local administration and there was tendency not to let her go forward. On the other hand, the IBEECC declared, 'We will not allow the polling officials to travel to 14 polling booths of Dinhata constituency which are accessible only through this enclave' (Uttarbanga Sambad, 26 March 2011). The *Times of India* highlighted the issue as the fight of the non-citizens, as residents of the Bangladeshi enclave nominated their own candidate from Dinhata constituency (Mandal, 2011). The ultimate target was to be visible through media coverage; it is a success in this regard, which brought many hidden truths in the fore and ultimately an embarrassment for the government.



**Fig 4.3a: Celebration of Indian Republic day in Bangladeshi enclave**



**Fig 4.3b: Celebration of International Mother Language Day in Indian enclave - Dashiarchora.**

The most successful political action was a month long ‘hunger strike until death’ in March 2012 in both Indian and Bangladeshi enclaves. This hunger strike happened to mark sixty-five years of non-citizenship by the enclave residents who were aged over sixty-five. The IBEECC wanted to draw media, public and government attentions for an early exchange of the enclaves (Uttarbanga Sambad, March, 20, 2012). This headline-grabbing event earned Bangladeshi and Indian popular support on the cause when some hunger strikers were hospitalised in critical conditions (Daily Prothom Alo, March, 28, 2012). The strike was called off in Bangladesh side when the local MP promised initiatives on early exchange of the enclaves. Although, IBEECC failed to secure any promise from Indian state government, they secured wider support network involving other civil society organizations and opposition political parties. The political action of the hunger strike opened a window into the broader politicizing consequences by providing new pressure and campaign groups (McGregor, 2011).



**Fig 4.4: IBEECC’s rally to the District Magistrate office**

Political resistance literatures consider political agency (McGregor, 2011; Nyers, 2008), modes of actions (Isin, 2008; Singers, 2008; Nyers, 2011); however, the subsistence factors and affordability to become political is an important factor in the enclaves. Although not everyone participated, some felt pressure to join in but were unable to for financial reasons. Most of the enclave people are extremely poor; they need to work every day to arrange their next meal. A daylong protest is an unaffordable luxury to many of the enclave residents. As a result most of the participants in IBEECC's actions are elderly people who are retired from work.

IBEECC's activity is a rupture to alter enclave dwellers' citizenship. There is a tendency to bring some form of substantive rights to citizenship without formal citizenship rights. What are impacts of these acts of citizenship aspirations? The first principle of the acts of citizenship is to interpret them through their consequences (Isin, 2008). Although the IBEECC's actions were unable to make any tangible change in enclave residences' (non)citizenship status, it has had some success. These new gestures, speeches, practices of defiance in host country's soil give the voiceless people a voice to contradict oppression peacefully. Although their non-citizenship status is unchanged, it dissolved some neighborhood dominance and exploitation in their daily life. The main success of their activities is making these individuals politically active by providing them the consciousness and strength to become political subjects. Six decades of non-citizenship motivated some of them to contest their ascribed citizenship and demanding a new citizenship. As Nyers (2008: 177) asserts in the context of the non-status migrants that the key impact of the acts of citizenship is 'we are witnessing an interruption and transformation of the political'. Similarly, the enclave residents are emerging as claim-making political beings. By breaching the etiquette of power relations and breaking the silence and tolerances to ill treatment, these people carry the force of a symbolic protest against dominance. Claiming the host country's streets demanding citizenship make them more visible than the actions within the enclaves. Now, the enclave residents have become visible citizenship claimants from invisible non-citizens through their own politics, tactical use of geography and legal/illegal actions.

The second principle considers that the acts produce actors. While the motive (s) are important for the acts of citizenship, they should not be the exclusive concern (Isin, 2008). In the last sixty-five years, enclave residents filed deputations to the High Commissioners and local administrations for their citizenship. While the motive remains the same all along, the enclave residents changed the methods to achieve their demand. The new acts such as claiming the street, hunger strike, demanding birth certificates and symbolic merger with the host country make them actors. And, the third principle is that the acts of citizenship can consider practices those are founded in law and beyond the law. The majority of the acts of citizenship aspirations are illegitimate in nature; however some of them are legal actions such as Maimana Khatun's election candidature. Significantly, these illegitimate actions put the law and applications of the law as power into question.

## 4.7 Conclusion

All the empirical examples collectively bring a rich picture of the lived experiences in a conflation of abandonment and citizenship. Engaging with Agamben's (1998) concept of abandonment alongside the citizenship literatures, this chapter portrays moments of citizenship in the zone of abandonment constructed by multiple interactions of politics, geography and law. Considered together, they show a complex and problematic notion where citizenship and abandonment do not belong in opposition but rather they are connected by the geographic reality and politicised and instrumental use of the juridical. Locating transient emergency citizenship and the act of citizenship in the spaces of abandonment, this chapter shows life within and beyond the abandonment. While the examples of three empirical sections bring diversity, they are also connected in the conflation of citizenship and abandonment.

Beyond a framework of understanding citizenship-abandonment relations, each section separately contributes in the wider literatures. Firstly, the day-to-day abandonment section profoundly challenges citizenship as a framework of understanding some citizens' experiences of abandonment. On a daily basis, enclave dwellers like Ali Hussain are undocumented in the home country, the enclave's spaces are 'law-free' zones and people are deprived from all citizenship rights including the emergency supports during environmental disaster. In this consideration, I echo Lee and Pratt, (2012: 892) and Agamben (2005) who stand for 'new political possibilities beyond citizenship'.

Secondly, the transient citizenship section suggests the temporalities of locating and incorporating enclaves in the politics affecting their citizenship rights. Hence, differences of citizenship rights are not only made politically and geographically but also temporally. The changing nature of the Mashaldanga's connections and disconnections with the home country in different times and in different political situations shows the importance of time in citizenship. It reflects how enclave life is shaped by the fluctuations of the involved states' political relationship over time. Therefore, the politico-spatial-temporal aspect of citizenship needs to be explored for a deep understanding of citizenship. Thirdly, the citizenship aspirations in the enclaves not only show acts of citizenship by the non-citizens but also provide an example of resistance in a zone of abandonment. Refusing the home country's citizenship, some enclave residents exhibit counter-abandonment strategies. Such resistance is neither widespread nor everyday individual phenomena; but they have some impact in their social life. And, finally I argue citizenship debates could be more diversified. As Hindess (2004: 305) warns, 'academic writings on citizenship focus on developments in a small number of Western states given the weight of academic resources gathered together in these state'. Everyday lived experiences of non-citizenship in the complex terrain of the enclaves suggest that we need to widen the

consideration of the empirical study on everyday citizenship practices and experiences around the globe to extend and intensify the citizenship literatures.

This chapter aimed to explore the lived experiences of citizenship in the enclaves to articulate the essential connections between the enclaves and home country. In addition to the everyday experiences of abandonment and (non)citizenship in the enclaves, this chapter shows the home country's approach towards the enclaves. It reveals that the home country has a general disinterest governing some scattered parts of the country; the enclaves are only important when these enclaves have potential in bilateral politics; and the home country does not worry even if the enclave dwellers disputed the home country's sovereignty over the enclaves. The enduring effects of (non)citizenship will be examined in the next chapter. It will explore the enclave residents' everyday encounter with the host country through different layers of border.

## The *Where* of Border:

### Meanings of Borders in Everyday life: Enforcement and Encounter

#### 5.1 Introduction

We live in a world of lines and compartments. We may not necessarily see the lines, but they order our daily life practices, strengthening our belonging to, and identity with, places and groups, while – at one and the same time- perpetuating and reperpetuating notions of difference and othering. (Newman, 2006: 143)

The quote cited above sets out the scope of this chapter, along the lines of belonging and identity. David Newman (2006) stresses the powerful role of the border, a landscape which is constantly creating a sense of ‘inside’ and ‘outside’, ‘them’ and ‘us’. Newman’s (2006) quote is best reflected in the enclaves in India and Bangladesh where everyday life is fashioned by different geographies of border. The previous chapter articulated the roles of international border and politico-spatial-legality constructing non-citizenship and transient emergency citizenship in relation to the enclave-home country interactions. Non-citizenship forces them to enter into the host country’s territory for their everyday survival. However, different layers of surveillance measures, maintain the marked but unguarded physical border between an enclave and the host country, these enable the sharp distinctions between citizens and aliens. In addition, there is a continual production and reproduction of an imaginative boundary within which the social relations between enclave-host country people create a sense of exclusion. Donnan and Wilson (1999: 26) consider, ‘symbolic boundaries are no less ‘real’ for not being physically marked, since they are clearly real in their consequences’; they argue that cultural and symbolic boundaries do not necessarily connect with space. On the contrary, physical borders create a sense of aspatial boundary in the borderland community’s everyday practices in Bangladesh and India. In everyday social life, the enclave dwellers and the host country’s citizens construct a citizen/foreigner binary. Therefore, this aspatial border is linked to the spatial dimension of border and almost experienced at the micro scale such as at body level.

The question of who does and who does not belong to a nation-state is filtered through the function of the border as a barrier. An enclave is the place where life is preoccupied with different forms of boundary, which involve physical, historical, legal and symbolic construction of boundary as barrier. For the enclave residents, the border is *everywhere* and, again, *nowhere*. Here, I am focusing on the *where* of border. And, how the border is created and maintained in

different processes either in a top-down or in bottom-up processes, as it requires considering the diverse factors that bring the border into being (Newman, 2003). This chapter aims to explore the production and reproduction of the border following the formation of the international border between India and Pakistan/Bangladesh. Here, I use the ‘boundaries as social processes of bordering’ approach introduced by Anssi Paasi (1996) and Salter’s (2008) performativity of border by the border guards. It enables seeing the border, in any form (spatial or aspatial), as enhancing or restricting the pursuit of a decent life in the enclaves. The meaning of boundary in the mundane activities of the state and enclave residents is a process through which border is constructed and the categories of difference or separation are created (Newman, 2006). In this study, the entire social, legal, spatial and political border have interconnected influences and have historical connections to the origin and actions on and around the border.

Only two adjoined enclaves, named Dahagram and Angorpota (D & A), remain within the orbit of their own home state through a passage named the Tin Bigha corridor (*see* chapter 1 and chapter 3). As part of the LBA-1974, Bangladesh retained permanent control of these two Berubari. Although the corridor gate is now open round-the-clock for Bangladeshi use from 9 September 2012 (The Daily Star, 09 September 2011), this chapter highlights the period before 2012 when the enclave dwellers were connected with Bangladesh through the Tin Bigha corridor. This connection was tied to the daylight. The corridor gate used to be open for Bangladeshis from 6 am-6pm (Indian time). It represents a shifting border between the enclave and mainland, but this is temporally experienced—twice a day while the passage functions as check point. As a result, enclave residents’ everyday life is intertwined with different forms of visible and invisible boundaries as they are ‘trapped by the lottery of their birth’ (Shachar, 2009: 04), which precisely exemplifies Newman’s above quote. In this background, this chapter explores different geographies of boundaries encountered by the enclave residents in their day-to-day survival; thus, it answers the third research question of the thesis. Different geographies of the border include different sites and spaces (India-Bangladesh border, enclave-host country border, corridor and shifting border, ID card check at different public places and borders in social life) where the borders are performed.

This chapter is focused on how the legal matters between the host state-enclave through the lens of different layers of boundary affect enclave dwellers’ everyday lives (the third research question of the thesis). It seeks to understand how different types of border affect enclave people’s life and belongings. The question of legality and illegality for the enclave dwellers come up because of the presence of the international boundary, which ultimately contributes to the social construction of boundary amongst the enclave-mainland people. Everyday survival in the enclave involves crossing the international border to get into their home country. In contrast, both the states are trying to implement many securitisation measures to control cross border movements. Hence, I explore cross border movement (legal or illegal), social practices and state

policy. This research is unique in that it focuses on the lives within the enclaves. It contributes to the border literature by exploring the complicated, to some extent ambiguous and chaotic, bordering process in relation to the enclave residents' everyday geography, which also illuminates the temporalities of the border. Other, contemporary studies on the border generally consider the process of constructing the border, which prioritises research on social construction of the border (*see* Van Houtum, 2000; Strüvera, 2002; Paasi & Prokkola, 2008). Such an approach has been rarely applied in enclave studies. This chapter begins with the literatures on the role of boundaries on frontier people, and then moves onto the impact of border security measures, both on the border and away from the border, in enclave residents' life. The border is not only performed on the border or checkpoints; borders are encountered at different places through different government technologies such as citizenship ID cards, policing at stations and raids in public transport and so on. In the fourth part of the chapter, I will illustrate the role of the mental border between enclave residents and the host country's people and construction of otherness. The fifth part will exclusively concentrate on the time border and corridor's role in the D & A enclaves.

Before I move onto the theoretical debates on boundaries, a very brief illustration of the history and geography of the ill-judged cartographic procedures to bisect Bengal would be useful in understanding the enduring role/consequences of partition in enclave life. In 1947, the end of British-Indian rule led to a division of India first and foremost on the basis of religion. The demand for Pakistan was the outcome of three factors such as continuing religious feuds, the uneven economic development providing some real basis for fears of 'Hindu imperialism', and disputes between the Congress and the Muslim League over power sharing in postcolonial India (Spate, 1948; Rashid, 1987; Roy, 1990; Gilmartin, 1998). The 3<sup>rd</sup> June Plan, 1947 declared the dates of the hand over power to two separate states, and initiatives had been taken to determine their boundaries before the transfer of power to India and Pakistan. It provided an option for Bengal and Punjab to choose whether they wanted partition of their provinces. Almost all Hindus of the Bengal believed that only way to ensure the Hindu interest, culture, economy and glory was the creation of a separate homeland for the Bengal Hindus; and the representatives of the 'Hindu majority districts' had voted for religion-based segregation in Bengal (Tayeeb, 1966; Chatterji, 1999). Thus, the cultural boundary has a new consciousness of territorial nationalism based on religion. Although the materialization of such perception is strongly reflected in everyday social relations in the enclaves, the strongest manifestation of religion based territorial nationalism is evident in the D & A enclaves.

The cartographic procedure to divide Bengal was an extraordinary venture or gamble for several reasons; firstly, it was an over ambitious plan to demarcate an almost 4000 km long border only within five weeks. Secondly, the criteria of the partition was decided as 'religion and other factors'. Here, the 'other factors' criteria was vague and contributed to disputes over the

demand of territory within the members of the boundary commission leading to a boundary divided only by the chairman of the boundary commission (Johnson, 1951). Thirdly, *Thana*<sup>8</sup> was defined as the administrative unit on which the partition could be held but there was no consideration whether they had correct and clear *Thana* maps with the contemporary features. Finally, the most treacherous and inefficient method entailed that the whole demarcation of the Bengal border would be accomplished only on the basis of maps and without any verification on the ground. In addition, Radcliffe was ignorant about Bengal, and different studies of the partition show that Radcliffe did not have even any technical assistant who could help him with technical issues (*see* Spate, 1947; Chatterji, 1999; Chester, 2002; 2008). For example the technical issues required creating a border in an active delta where the river system is a vital factor (*see* Jones, 1945). As a result, disputes arose out of the interpretation and misinformation of the award, mapping errors, and leaving some places unmarked on the map (Ahmed, 1953; Chatterji, 1999; Van Schendel, 2005). The checkpoint section illuminates the political and social consequences of a dispute over Berubari as the Radcliffe award missed out determining the border at this point. The presence of political nominees came at the expense of the use of the necessary cartographic experts, but satisfied the demands of the Congress, the Muslim League and of course the British Government to have their own men on the commission. Indeed, it is not too much to say that technically the new boundary appears both curious and impracticable (Spate, 1948).

## 5.2 The ‘*Where*’ of Border: Theoretical Considerations

The study of the international boundary and their associated regions played a prominent role in political geography as it determines the spatial limit of the sovereignty of a nation-state—what Minghi (1963: 407) considered as ‘the most conspicuous political geographic phenomena’. Human factors are not only typically disregarded during the creation and demarcation of international borders but were also ignored in the early literatures on borders. Early political geography debates concentrated on either the binary of the ‘good’ or ‘bad’ border from a military perspective; natural vs. artificial borders performing the best barrier role in a peaceful manner; or border-related disputes and conflicts (Lyde, 1915; Holdich, 1916; Johnson, 1917; Boggs, 1941). This approach was more about the legal, political and historical developments of making and demarcating the border. Newman (2003) identified the classic approaches as static and deterministic as they limit the discussions only on the geographical and political construction of the border. Similarly, the functional approach to boundaries concentrates on the top down process of implementing political and cartographic decisions on borders but overlooks

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<sup>8</sup> The second lowest administrative unit, which were the smallest units defining criminal jurisdictions.

the borderlanders' experiences. Notably, Prescott (1987) advanced the study of borders by providing a synopsis of the terminology of the boundary, border and frontier. Although Prescott advocates empirical work on individual borders, his work ignores the human experiences of living in the border zone like almost all other works at that time. The most significant development in this period is the consciousness for empirical studies of actual border questions and border landscapes.

The contemporary post-modern turn to border studies introduced a focus on the local experiences of border. Anssi Passi's (1996) *Territories, Boundaries and Consciousness* is a breakthrough in this consideration. He provides an excellent account of the changing nature of the Finnish-Russian border in combination with the elite construction and local experiences of the dynamics of border in multiple scales (regional, national and local). Paasi (1996) calls for significant attention to the meanings of boundaries in the construction, organisation and reproduction of social life. Paasi (1996: 24-25) argues that the idea of boundary cannot be comprehended by traditional political geography, rather it is a part of wider context of cultural geography as the meaning of boundary is also construction, organisation and production of social life. Thus, he argues that the study of international borders and nation-building processes is also the study of the construction of identity and nationalism. In this context, 'borders are the very substance of nation-statehood' (Sidaway, 2007: 170). 'Borders were now seen as processes, practices, discourses, symbols institutions or networks through which power works' (Passi, 2011: 62). In a similar fashion, Amante (2010) addresses the Portugese-Spanish border and defines that the border and cross-border relations persist as asymmetrical and cultural construction with the example of Portugese-Spanish border. While the state imposed a closed border, the local people created proximity and connections between themselves; local people constructed an imagined border while official discourse opted for an open border. This border brings a different bordering and reordering process from local consciousness and reflects that borders are a complicated social phenomenon related to the fundamental basis of the organisation of society and human psychology (Van Houtum & Struver, 2002; Kolossov, 2005). In Van Houtum & Struver's (2002) words borders are both signifiers and signified. The socio-territorial construction of the border approach considers that the boundary is the manifestation of physical control and social meaning; thus this approach considers border experiences in the local level connecting formal politics with the local socio-cultural politics. The importance of political boundaries in everyday life and role of the international border in the socio-territorial construction of identity and nationalism is a contemporary focus of boundary research in political geography. In this line of argument, Megoran (2012: 468) advances the 'boundary as social processes' by emphasising research on the biography of border in different scales and times as part of the nation-state formation. Megoran argues that a biography of border can be a valuable framework to understand how 'international boundaries are both produced by and

produce social life'. Although the boundary as social process approach can offer an understanding of the complex process of border and bordering, it provides scant attention to everyday border-guards and border-crossers encounters at international borders. Therefore, it is imperative to consider the dynamic production and reproduction of boundaries through the lens of the performativity of the border alongside the consideration of bordering processes.

A notion of border performativity can assist understanding everyday border guards' and border crossers' encounters. Nancy Wonders (2006) formulates her theoretical approach to 'border performativity'. She argues that state attempts to choreograph the border only have an important effect when they are performed by the border force or encountered by the border crosser (Wonders, 2006). Thus, she considers the materiality of the border through actions on the border. Wonders' (2006) formulation of the performativity of border has three characteristics; firstly border performances can take place anywhere in the nation-state's territory such as the geographic line of the border, airport, stations, workplace raids and so on. With such a consideration, Wonders argues that the border is everywhere. Secondly, border performances are embodied given that the border crosser's body is subject to border enforcement. Finally, border performance is connected to the identity of the border agent and border crosser that is shaped by gender, class and race relations. Wonders' formulation takes border experience and enforcement to the smallest scale such of the body; and emphasises the importance of identity in relation to border performance. While Wonders ignores the moment of border performance and decision making procedure, Salter (2008) addresses that gap. Following Butler's performativity of identity and Wonders' performativity of the border, Salter (2008) adopts performativity of the border to argue that the border is the permanent space of exception.

The border is preformed via various state actors' activities to define citizen and alien and border agents have the irreducible power of the sovereign to ban the traveller during the time of border crossing. On sites of the border, sovereignty is performed through languages and documents. Drawing from Agamben, he argues that the exception occurs only when the power to admit/exclude is exercised. As he comments, in relation to 'all who cross frontier pass through this biopolitical filter: the moment of decision' (Salter, 2008: 371). Although Salter (2008) uses embodied performance of the border, he disagrees with the claim that the border is everywhere; rather he argues that border functions occur only at specific sites. I argue that border performativity can occur anywhere, and performativity of the border is also socially constructed and it does not always follow legal regulations. The border functions of any desired entry and undesired exclusion occur in any place for the enclave resident, which will be illustrated in the next section.

Using Anssi Paasi's (1996) conceptualisation of the border as a socio-cultural process and Salter's (2008) performativity of the border, this chapter explores the *where* of the border in

relation to the enclave residents daily experiences. In doing so, this chapter reveals complex relations between border securitisation, the socio-political-cultural manifestation of border, and ambiguity and illegality leading to a chaotic geography of the border. In this liminal zone the border is always performed, negotiated and constructed at the body level. I am interested to see how the international border is performed both physically and symbolically on the smallest of scales. Political decisions on the border shape spatial reality and social relations; therefore research on the temporalities of the border can contribute towards an understanding of the political geography of the border dynamics or socio-spatial mobility of border.

### **5.3 Border Performativity on and Beyond the Bengal Border**

This section explores the performativity of the international border as a stumbling block restricting enclave residents' movement across the host country's territory. To understand the enclave-host country interactions, it is important to see how the border is performed by the host state. This discussion will include technologies and surveillance measures to curb enclave residents' illegal entrance in the host country's interior. Such measures, in effect, perform a mobile border through ID card technology to encounter unauthorised aliens who dodge the international border. As mentioned in the introductory chapter, the enclave residents enclaves did not realise their fate until they started working with the administrative procedures in post-colonial India and Pakistan in 1950. Because of hostile India-Pakistan/Bangladesh relations, the India-Pakistan/Bangladesh border is experienced stringently, affecting everyday borderlanders' communications. People living in the borderland had no sense of international borders as they had never experienced this phenomenon before; and they did not understand that visiting friends and neighbours and relatives were crossing the border (*see* Chatterji, 1999; Van Schendel, 2002a; 2005; Roy, 2006). However, such guarding was not in place all through the border, and a large portion of the border was unguarded (Van Schendel, 2002a). Gradually the borderland folks, including the enclave dwellers, learned that the new border often meant miserable suffering such as imprisonment after introduction of the passport and visa in 1952. The policing activities of border guards to keep the illegal movement minimal are always challenged by local borderlanders (either mainland people or enclave residents) and cross border smugglers. On the other hand, the enclave-host country border does not work strictly as a functioning border as this is an unguarded border.

As illustrated in the previous chapter, enclave residents are cut off from the home country because of the India-Bangladesh border and they live without citizenship rights. There is no legal procedure to cross the India-Bangladesh border for their everyday survival but they manage, informally, to cross the border in cases of emergency such as land registration. People in the enclaves have been dealing with this Indo-Bangladesh border for the last six decades in different circumstances. Junayed Ali mentions his experience of this border,

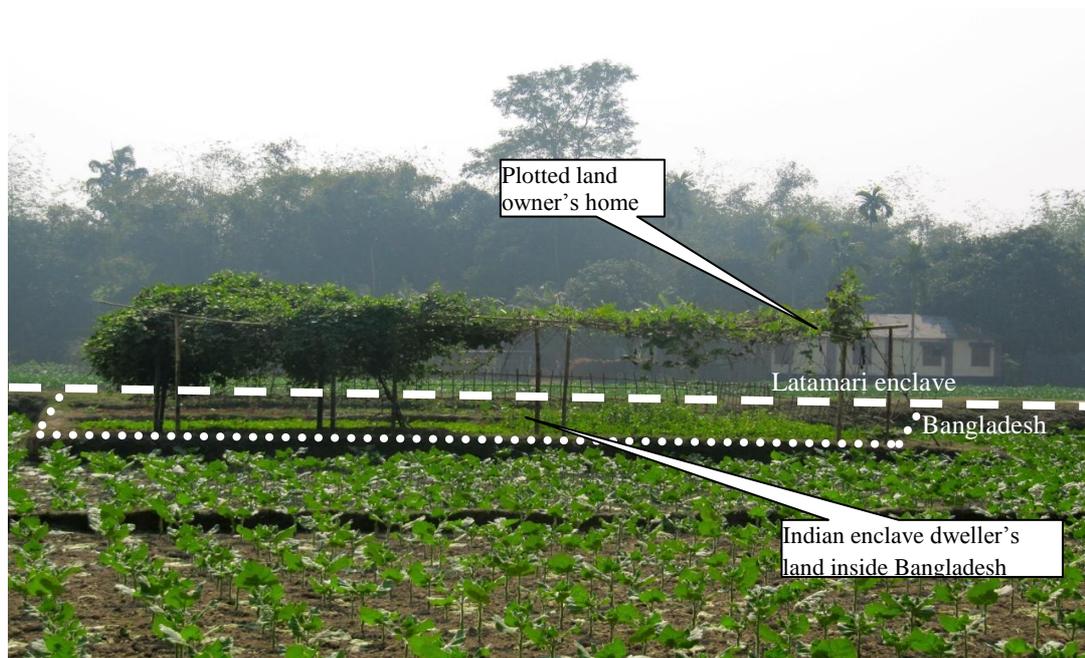
*An incredibly erratic border- friendly and deadly! It was deadly when Pakistani forces never allowed us to enter Pakistan and always told us we were the foe's spy. We were treated as caged enemy during the time of India-Pakistan war. After Bangladesh's birth, it felt heavenly. The border was completely open and everyone could visit and shop Indian and Bangladeshi markets like our own village market. It was similar as our pre-partition time. Since the assassination of Sheikh Mujib in 1975, it depends on who is in the government and who is on the border (border guard). If you and the border guard are Bengali and belong to the same religious faith, you can manage a way to cross the border. Now, we the enclave residents do not try to cross the border as nobody is waiting for us in my home country; and such intention is considered as pro-Bangladeshi/Indian in the host country. We try to show that we are loyal to the host country.*

(male enclave resident, aged, 85, interviewed in an Indian enclave, 20 December 2009)

Junayed Ali's long experience shows how the elite construction of the hostile bilateral relations was reflected on the border zone and portrays the temporalities of the performativity of this border as barrier and cooperation. Significantly, however, it is an illustration of how the border is performed based on cultural identity and negotiations between individual border guards and border crossers. On the other hand, Junayed reflects on the imaginative construction of the boundary between the home country and enclave residents because of distance and inaccessibility. As such, some enclave residents do not consider it valuable to risk their lives and cross the international border as nobody in the home country really cares about them. Enclave-dwellers' only connection with the home country is land registration. They bring their land documents and sellers generally cross the border informally with the permission of the border guards.

The example below also demonstrates the performativity of the border is based on cultural identity. Mustak Ahmed (male enclave resident, aged 40, interviewed in an Indian enclave on 15 January 2009) went to seek the border guard's permission to go to India but his attempt was unsuccessful because of Mustak's Islamic appearance. He mentions, '*Seeing my beard and Islamic hat, the border guard didn't allow me to enter India and asked, "Are you Bin Laden's brother?"*' Post-9/11 popular anxiety about Muslims is also reflected here on the Bengal borderland. Such a framing of identity reflects David Newman's (2010: 775) view that 'crossing physical borders may result in the constructions of a whole new series of borders'. The border agent's imaginative construction of the Indian Muslim enclave dweller's identity as a terrorist and refusal of Mushtak's entrance to India demonstrates the border agent's power to deny Mushtak's rights to visit the home country. It hints at the border guard's personal anxiety and prejudice over Muslims and shapes his border performativity by dividing 'one of us' and 'alien other'.

The physical border often perform as an iron wall if enclave residents attempt to cross the land-holding boundary and try to buy the host country's national identity. Generally, the enclave-mainland border is a passive border in Bangladesh; and enclave residents' mobility is not restricted but they never receive any state facilities. However, the border is still performing if there is an endeavour to produce the host country's national identity. Consider a story of one Indian enclave dweller in Bangladesh. His father was Bangladeshi but bought land in the enclave, as it was very cheap. Since 1953, they were living in the enclave. During 2007-8 the Bangladesh government introduced a national ID card and made a Bangladeshi address a reference to confirm nationality. This man bought a tiny piece of land and tried to build a house just by the enclave-Bangladesh border. His attempt was foiled by the BDR on the grounds that Indians cannot build houses in Bangladesh (*see* fig 5.1 below). Therefore, an original Bangladeshi citizen actually lost his citizenship as he settled down in an Indian enclave. Such landholding changed his original belonging to a nation and produced a new boundary line.



**Fig 5.1: An unsuccessful attempt of an Indian enclave dweller's land holdings in Bangladesh to get Bangladeshi national card.**

The technologies of governmentality such as national ID cards, police verification prior to employment confirmation and other measures, practically perform the role of physical border across the country. Such new technologies provide a sense of mobile borders. In this context, the citizenship ID card is a technology to segregate and identify the 'foreigner other'. As Agnew (2008) points out those bordering practices are much more widely diffused geographically. The

whole national territory is turning into a border zone through enhanced ID-checks. Although Bangladesh has introduced similar ID card citizenship, the surveillance mechanism is much more effective in India this captures illegal immigrants. Such surveillance mechanisms make the Bangladeshi enclave residents life miserable in India—the story below clearly elucidate this claim. Nurul Huda, a Bangladeshi enclave dweller, uses a metaphor of football to state his status quo with which both Bangladesh and India are playing a match. He explains his sufferings as below:

*Police caught me in an Indian bazaar (local market) at Cooch Behar and asked to show my voter card. I said I don't have voter card because I live in a Bangladeshi enclave. So you are a Bangladeshi? He replied. Yes, but this place is inside India. The police replied, 'Are you joking with me? There is no such place. You are from Bangladesh'. I was, then, taken to the police station where I tried to explain the matter but none did listen to me. I was sentenced for six months imprisonment under the foreigner's act. Once I finished my term in jail, the BSF took me to the border and handed over to the BDR. Then, the BDR suspected me an Indian and put me in their jail while I was unable to show any proof of my Bangladeshi identity. By this time, my brother requested to a BSF officer to let him cross the border to release me. It was granted after a while. My brother brought the land registration documents to Bangladesh police upon which I was released. Then, we came home with the support of a broker who knows the safe time and route to avoid border force's scrutiny. I was lucky that BSF could not catch me again.*

(male enclave resident, aged 45, interviewed in a Bangladeshi enclave on 20 March 2010).

This powerful story illuminates several themes such as technical nationality barrier and construction of identity as illegal immigrant, statelessness, legality-illegality and strong border control. Indian law to the foreigners clearly draws incisive boundaries between citizen and foreigner. The Foreigners Act 1946 defines a foreigner as a person who is not a citizen of India. Thus, Bangladeshi enclave dwellers are unauthorised foreigners when they trespass into India from their enclave and get imprisoned under the above-mentioned act. This Act is unsympathetic to Bangladeshi enclave dwellers who are unable to survive without entering India for everyday needs. Nurul's imprisonment in both of the countries unfolds the fact that he is stateless and vulnerable. While his imprisonment in India was done under legal grounds, his push back to Bangladesh was illegal. He should have the right to go back to his home inside the enclave. Indian border guards' permission and BDR's no objection to his brother's informal border crossing was also illegal. Thus, the story illustrates the framing or political construction of the enclave residents' identity as illegal immigrants. Furthermore, it explains how ignorant border guards can be about the political landscape in frontier zone. The incident tells how a border can be ever-present in a state's territory and also reflects Van Schendel's (2005: 194) characterisation of the border security in India-Bangladesh as 'haphazard control over movement across the border'. Therefore, the border performed as a line beyond accountability

from macro to micro level. Such construction of the border as being beyond accountability connects to Said's (1978: 27) quote that, the life of an Arab Palestinian in the West, particularly in America, is considered as politically nonexistent, and when it is allowed that he does, it is either as nuisance or as an Oriental. Similarly, Nurul was not qualified as rightful political being on either side of the border as a citizen; however he was recognised and represented as a dangerous political body. He is subject to law but not entitled to be a claimant for legal aid; therefore he is reduced to a different dimension of a political being who is exposed to violence.

Location of some of the enclaves interrupts India's border fencing project at some segments of the border. Some enclaves are very close to the zero line of the border, they create legal compulsion not to erect fence in those segments of the border. According to the boundary guideline, a border fence should not be built within 150 yards of the zero line or in no man's land (Joint India-Bangladesh Guidelines for Border Authorities, 1975). India constructed the fence leaving 150 yards clearance in most places. However, the existence of a Bangladeshi enclave close to 150 yards of zero line means India cannot build a fence at that point on a legal ground. Bangladesh oppose fencing in no man's land which create tensions at the local level, where both border guards sometimes exchange fire on the erection of fences in the NML (*see* Van Schendel, 2005). In my study sites, three enclaves created unfenced segments of the border. Such unfenced parts of the border cause trouble for the enclave residents and other borderland people as the border guards shoot at the unauthorised intruders. The security alert is very high in these spots and borderland people generally do not go out at night. Specifically the enclave dwellers come back home early to avoid ID checks. During my fieldwork in one of these three enclaves, one Bangladeshi was killed in the photographed area (*see* fig 5.2 below). The border guards have the power to kill people defying international law. As Jones (2009: 887) mentions, 'because the border guards are able to act without substantial oversight from other government officials or police, the borderlands become a zone where their decisions are the only things that matter'. The border guards are more powerful in these segments and can decide life and death of the individual body that tries to cross it, reflecting Salter's (2008) argument that the border is the permanent space of exception.



**Fig 5.2: Bangladeshi enclave and Indian border fencing project: All of these images were taken from the same place facing towards India from the main border pillar. The left image shows the pause of border fence because of Bangladeshi enclave's existence very close to 150 yards of the zero line. The middle image shows the border pillar and the closeness of the same enclave to the border. The dotted line shows the enclave-India border.**

This section has shown diverse dimensions of the performativity of the border. The performative character of the border is exemplified through control strategies which are not fixed, illegal in some cases, negotiable and vary on a case-by-case basis. This section strongly articulates that the borders are performed as embodied activities shaped by status, religion, relationships, negotiation, power and corruption. Thus, performativity of border by the border guards is also linked to the socio-cultural process of border and bordering. Similar to Salter's (2008) argument, it is the border agent who decides the life or death at some points of this border. Thus, border guards are the 'agents of exception' (Jones, 2009: 887) who have power over the border-crossers' bodies and this border is the space of exception. The examples suggest that the border is not only performed in certain sites but also that it is *everywhere*.

#### **5.4 Social construction of Borders between the Enclave and Host Country**

A physical boundary not only marks people's political identity and national belonging but also is intrinsically linked with the social construction of border in the frontier area. Such a boundary always encloses tensions, exclusions and exploitations in everyday negotiations between the enclave dwellers and the host country's citizens. The abstract boundaries between enclave residents and mainland people are linked to the previous historical communal tensions, religion based partition, the social construction of otherness and nationalist media attentions. Politically tailored, 'religion based division', pushed many borderland people to move out from the state where they would be a minority, thus indirectly forcing them to become refugees. The riots that followed 1947–48 left more than a million people dead in six months and displaced more than 15 million people (Kumar, 1997). Sporadic communal violence, the loss of socio-economic status by the upper-cast Hindus and the anticipation of a better economic situation (West Bengal was the industrial centre for undivided Bengal) were the central reasons for those massive displacements (Haque, 1995; Chatterji, 2007). The religious based partition in 1947 is still alive in people's minds in the study sites on both sides of the border. There is a tendency amongst the borderlanders in the field sites, irrespective citizens or enclave dwellers, to think that India is for Hindus and Pakistan/Bangladesh is the place for Muslims. In addition, the old uneasy relations between Hindus and Muslims are still in people's memory and actions. The majority of the current Indian enclave residents in Bangladesh are from Cooch Behar who came here by exchanging their Indian land with the Hindus in the enclaves. Such exchange started soon after the partition and still continues irregularly. All these events created hatred and strained relations between these two religious groups significantly contribute constructing the imagined boundary in social relations.

Kamrul Islam was born in an Indian village Panishala twenty miles away from the enclave Bashkata. There were indiscriminate communal killings in his neighbourhood and many Muslims fled from Cooch Behar with the fear of being killed. Kamrul found the Hindu

refugees, who were uprooted from Bangladesh, were more aggressive than the rest of his Hindu neighbours. Finally, Kamrul Islam left Cooch Behar and settled down in Bashkata enclave as a Muslim country surrounds it. Using his religious identity, Kamrul managed good relations with the host country's neighbours. Now, he is one of the leading men who assist the host country's political leaders to cause troubles to the Hindu enclave fellows such as complaining about their fake ID cards or stealing cattle or intimidating the Hindus to leave the enclave. The Hindu respondents in the study sites in Bangladesh and two respondents who fled from Indian enclaves to India describe that many Hindu enclave residents moved to India abandoning their property and some others sold their land at low prices to the host country's political leaders. Intimidation by the Muslims and fear of being killed in a riot are two factors for the Hindus to leave the enclaves. Such religious hatred and political advantage reduce enclave-host country 'otherness' for some enclave dwellers like Kamrul Islam what Van Schendel (2002) aptly defines as 'proxy citizenship'. It is a general practice in both sides of the border. Muslim enclave residents in India and Hindu enclave residents in Bangladesh are victims of old religious hostility that is now linked with politics and financial benefits. Such construction of otherness begins in the enclave and experienced in everyday movements in the host country. The role of the history of communal clashes plays an important role in this context. This construction of an abstract or mental boundary, to some extent, is the impact of the political border and institutional practice of border to keep enclave residents as people beyond accountability.

Another important reason to leave the enclaves was to think that 'India is for the Hindus and Bangla (Bangladesh) for the Muslims'. This is not a quote from an individual rather a summation of what was repeatedly stated during my participant observations and interviews (enclave dwellers and citizens) in the field sites. For example, Shirish Bormon was preparing to leave the enclave Bashkata when he heard that the governments are keen to exchange the enclaves by 2011. Kanti Bormon reflects, *'it is not always the violent intimidation that forces us to move to India. India is the tirthovumi (sacred place) for the Hindus – this is why the partition occurred. This is why the Hindus move to India and Muslims to Bangla. We all want to find our true place'* (aged 45, interviewed on 05 February 2010) This signifies how important religious identity is for the construction of nation-ness and boundaries in these places, as Paasi (1996: 192) reminds us that religion is a significant factor constructing socio-spatial distinctions and boundaries.

Social construction of the enclave-host country border is also visible in the context of religious sameness. For example, all residents in Gobrachora enclave in India are Hindus; however informal group discussions with the enclave residents during the pilot study reveal that these enclave's residents are extremely vulnerable to robbery and exploitative behaviours of the neighbours such as taking pets away, threats to kill and so on. Anthony Cohen (1985) argues that the symbolisation of boundary is a particular kind of awareness or consciousness that the

groups have for them in relation to the other groups. After partition, self-identification became a strategic dilemma. The more enclave people identified as citizens, the more they distanced themselves from their neighbours and relatives outside the enclave (Van Schendel, 2002). The following example illustrates how the host country's citizens identify the enclave dwellers. I was looking for my gatekeeper's house and he informed me that it was by a primary school. He never mentioned whether he lived inside or outside the enclave. I saw a small tea stall and asked the man (field note, 05 January 2010),

*Q: 'Do you know Mr. Golum Mustafa? He teaches in the nearby college.'*

*A: Yamm..No, I cannot recognise Mustafa in my neighbourhood. Do you know his father's name?*

*Q: Yes, Naosher Munshi is his father.*

*A: O... yes....Mustafa. I know him but he does not live here, he lives in the chhit (enclave)!'*

The tea stall was less than 100 meters from Gulam Mustafa's house; such distance is obviously part of a *para* (neighbourhood) in rural Bangladesh. Generally, the host country's citizens do not consider enclave dwellers as neighbours rather they call them as '*chhiter lok*' (enclave people) as the quote notes. The political boundary line between the enclave-host country also produces social boundaries and construct enclave dwellers' identities as an 'alien other'. This is an example of the 'social construction of reality' (Paasi, 1991: 240). Such mental borders oblige them to belong in a precarious space as 'enclave people'. In this disjuncture, it was not surprising that they developed a different way of thinking about themselves as enclave people. The border does not only refer to the politico-geographical line but it is widely experienced and practised in everyday social practices. If borders are not natural, they become what people want them to make; some make more borders and others less. It is a matter of making other, creating distance (Hannrez, 1997).

Now I will move onto how the enclaves are represented in some published work from border guards (*see* Chowdhury, 2003; Jamwal, 2004) and local researchers (Das, 1992; Chaki, 2007; 2009). This will include border officials views on enclaves reflected in the interviews during my field research. There are some inaccurate and negative representations of the enclaves specifically from the border guards' views. For example, the official view is that the border guards never enter the enclaves, as it is foreign sovereign, and the enclaves are the breeding grounds for criminals and terrorists (Kar, 1997; Chowdhury, 2003; Jamwal, 2004). In addition, Jamwal (2004), as quoted earlier in chapter 2 (*see* section 2.3), claims that Bangladeshi smugglers occupy Indian enclaves, and all Indian enclave dwellers have moved to India. Both

are incorrect claims, as the empirical chapters of this thesis reveal, and other research (Van Schendel, 2002; Whyte, 2002; Jones, 2009; 2010) findings demonstrate in the literature. Local research work on the enclaves only considers the difficulties of their citizens on the other side of the border: Chaki (2007; 2009) extensively writes about the attacks on Indian enclave dwellers in India while he is silent about the vulnerabilities of Bangladeshi enclave dwellers. While asking Chaki about his opinion about the Bangladeshi enclave dwellers situation, he replied, *'they are in much better situation in India than our citizens in Bangladesh'*(field note, 11 October, 2010). It is a nationalistic feeling about their own enclave residents that is also very visible in the local media.

There is a tendency within the border officials to describe that the enclave dwellers are troublemakers in the host country. The BDR officials describe that the Indian enclave dwellers are living like Bangladeshi citizens while the enclave dwellers bring law and order problems in the local areas. One border official describes,

*The enclaves are the places where all illegal activities occur. The BSF know that smugglers are in the enclaves but the border guards are helpless because they cannot enter into the enclaves. The enclave dwellers do not want any the exchange of the enclaves because they are now in an advantageous position being 'free people' without any state interventions.*

(Anonymous, interviewed in India, 04 November 2009)

This is, in fact, a very negative and oriental representation of enclaves and enclave dwellers. Another border official claimed that no road has been constructed inside the enclave and no BSF vehicle has entered into the enclaves. On the contrary, the ethnography reveals that the host country exercises illegitimate sovereignty over the enclaves by constructing roads, electric poles, water pipe lines and so on which I will describe as the construction of enclaves spaces of exception in the following chapter (*see* section 6. 3, and figures 6.1a–d).

This section shows how people consciously and unconsciously draw the boundary line through social relations, cultural identities and 'oriental' representation. As Passi (1996: 215) mentions, 'for the borderlanders the locality and its topography—both physical and social—are the central constituencies of their world'. However, the local manifestation of social and cultural boundaries is the part of the nation building based on religion-based nationalism and ascribed or self-decided territorial identity. In addition, there is a discursive negative representation of the enclaves as a danger or threat to the host country which I believe is nothing but an oriental representation.

## **5.5 The Tin-Bigha Corridor and the Everyday Mobile Border**

This section focuses on the role of this border as a corridor for the folks in the D&A enclaves. The corridor operates as a bridge and barrier in the everyday life of these enclaves while all the movements and decisions are made by the BSF. This time-corridor is an example of the manifestation/movement and materialisation of this border twice a day. Such a manifestation of the border constitutes a time consciousness shaping everyday life actions and mobilities across the enclave-home country as Crang (2001:187) asserts ‘the combination of time-space routines serves to link the everyday to the reproduction of social regularities’. The corridor opening time, the closing time, and night time in the D & A enclaves have different sets of actions; however these everyday actions of life are spatio-temporally determined. In Glennie and Thrift’s words (1996: 280) there is always ‘geography of time, timing and time consciousness’.

For the purpose of the better understanding of the current situation and background of the special arrangement for two enclaves, I will briefly touch upon the state-level decisions and implementing procedures of this access corridor as well as the contesting local struggles over transferring part of mother land to an antagonistic Muslim country. Dahagram and Angorpota (D & A), two Bangladeshi enclaves in India, are connected with mainland Bangladesh by a 178x85 m access corridor. Although, the access corridor has been leased out to Bangladesh for 99 years since 26 June 1992, the sovereignty of this tiny passage lies with India. All the movements across the corridor and changes of law are controlled and decided unilaterally by the Indian border security forces. It is their sovereign power to deal with anything inside this fenced space. The time-corridor opens for Bangladeshi movement from 6am–6pm Indian times. Thus, it is an example of the shifting border twice a day.

### ***5.5.1 Tin Bigha Corridor Facts***

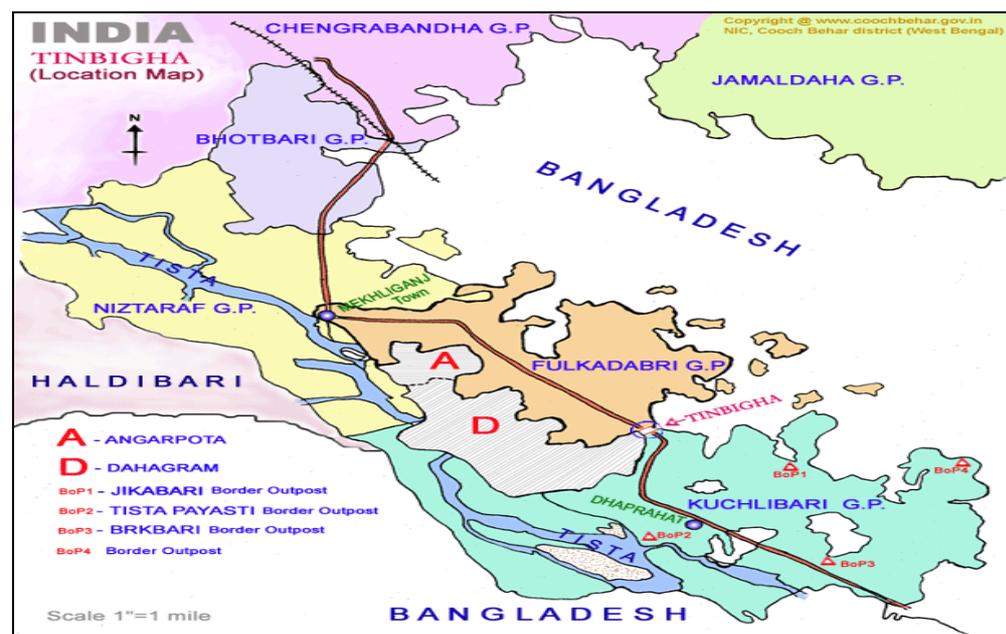
As part of Radcliffe’s partition legacy, The Nehru-Noon Agreement of 1958 tried to resolve the confusion of the Radcliffe line over the Berubari Union as explained in the introductory chapter. It was the success of Berubari residents along with the opposition political parties who halted the transfer of *Tin Bigha* for years despite state level agreements. Like the Radcliffe award, this agreement also ignored the human aspects of the border problem. Although the 1974-LBA decided the fate of Berubari and D & A enclaves, it took two decades to reach a negotiation on the proposed access corridor. Like Berubari issue, the transfer of the access corridor to Bangladesh became a sensitive political issue followed by bloodshed in the corridor area. Since the agreement signed in 1974, people adjoining areas near Tin Bigha Corridor started protesting about the transfer of this corridor.

Two basic stands were leading the protests over access corridor transfer; firstly, the locals were in fear that once the corridor is given to Bangladesh, Kuchlibari would be an enclave losing its only connection to mainland India. As Adit Barman, Kuchlibari resident and campaigner against corridor transfer, mentions,

*'At that time, we did not realise that the territory will not be given to Bangladesh. Whatever it is, I cannot tolerate foreigners are using our soil for hours. Sometimes, the traffic keeps us waiting for those foreigners' to use our land. I cannot accept this'*

(aged 30, interviewed on 28 March, 2010).

Eighteen years since it was instituted, Adit Barman's nationalistic feelings and frustration over sharing the corridor with foreign others is a broad-spectrum feeling in the whole Kuchlibari area. Secondly, the political leaders were more concerned with the loss of Indian 'sacred motherland' to a foreign country as a disgraceful activity; therefore they were bringing a nationalistic theme. Within the enclaves, there were fractions on religious lines. Muslim enclave residents were pro-Pakistani and later pro-Bangladeshi who always preferred to get married and study in mainland Bangladesh. On the other hand, Hindu enclave residents were almost connected with India for every aspect of their life and were also participating in agitations on non-transfer. Such communal claim of annexation with India or Bangladesh reflects contesting belonging and territory (Cons, 2012). D & A enclaves' annexation with India or Bangladesh articulate the boundary survey work in the vicinity of Tin Bigha in 1986 that was hindered by the local protests in Angorpota as an opposition to transfer of the enclaves (Ministry of Information, India 1992).



Map 5.1: Map showing the location of Dahagram, Angorpota and Tin Bigha corridor. (Source: High Commission of India, 1992.)

Local concerns created two committees: the Tin Bigha Resistance Committee and the more hardline Kuchlibari Resistance Committee with dissatisfied congressmen and state BJP leaders (Biswas, 1991). The controversy and rumours over the sovereignty of the corridor. There was a petition in a Kolkata court in 1982 on the validity of 1974 and 1982 agreements. In relation to petitions filed in 1987 on dilution of sovereignty, the main point of the Supreme Court's judgement on sovereignty matter in 1990 is,

It certified that, as stipulated in the 1982 Lease Agreement, sovereignty over the Tin Bigha corridor would continue to vest in India and that Bangladesh would merely have "undisturbed possession" and "use" for the express purpose of connecting Dahagram with Panbari Mouza of Bangladesh in order to exercise sovereignty over Dahagram and Angorpota and for no other purpose.' To regulate the flow of traffic and to diminish the possibilities of avoidable friction or untoward incidents, appropriate measures will be adopted so as to avoid intermingling of the nationals or the traffic of the two countries. It has stated that no right to administer Tin Bigha has been given to Bangladesh nor had it been given the right to occupy permanently the area or to construct buildings and fortifications therein or to lay railway lines through the area. The Agreements gave Bangladesh only specific and limited rights. The Supreme Court concluded that the Agreements did not amount to the lease or surrender of Sovereignty as understood in international law. This view accords with the view of the Government of India, and it is in this light that the Tin Bigha lease is being put into effect.

(High Commission of India, Dhaka, 1992).

The verdict precisely mentions complete Indian control over all kinds of regulations and changes of any measures inside the corridor and flow through the corridor. It is only a permission for the Bangladeshi authority and people to cross over the corridor. The Court verdict did not convince the protesters and almost all key BJP figures entered to this flashpoint and the BJP pamphlets called for 'all the Indians, all its valiant fighters for national integrity to stand up, face the situation squarely and remove the danger of 50,000 people of Kuchlibari becoming Refugees at some point of time in the future' (BJP, 1992c). Two men, 25-year old Jiten Roy, a resident of Upon Chauki village in the Kuchlibari area, and Kiten Adhikary were killed by the firing in Kuchlibari 'hundreds of people were injured and some of them losing their limbs' (Roy Pradhan, 1995: 16).

However, the transfer was successfully done on 26 June 1992 with intense security measures. Two of my respondents in Dahagram emotionally described the transfer,

*Bangladesh won her freedom in 1971 but it was the day of our independence. We struggled 45 years to get connected with Bangladesh where we the Muslims belong. It was only an hour for the first day but we all ran many times across the corridor with tears of joy; we entered Bangladesh without any fear. It was an incredible sense of freedom!*

(Romij Ali, male enclave resident, aged 55, interviewed on 20 November 2009).

*It was the black day; I lost my divine motherland, my relatives, friends, educational institutions and family. I did never have any connection with Dahagram, I just slept here in my house and rest of my activities were in nearby Indian villages. I had a terrible feeling that I lost everything of my life and I am kept in a prison.*

(Prodip Roy, male enclave resident, aged 30, interviewed on 30 November 2009)

Both of them had a contrasting feeling about the transfer that shows a sense of imaginative boundary and a feeling of homeland and place making in a religious angle. Both the stories mirror connectedness and separation through the construction of a boundary. Such connection-separation binary in both these enclaves creates new borderlines both in physical and imaginative spaces. Following the corridor transfer, the border is reconstructed socially, politically and spatially. The physical border between Dahagram-India was inactive before the transfer that has started strictly functioning since 1992 (*see* figures 5.3a and 5.3b below); however the international border between India and Bangladesh is non-functional for these enclave residents for the daytime while the corridor is open. Nevertheless, they are completely cut off from the whole world while the corridor is closed. On the other hand all the Hindu people moved to India except for three families. Therefore, the imaginative religious boundary line has been shifted to the international level. The corridor transfer has created another imaginative ‘other’ in the mind of the former Kuchlibari neighbours to Dahagram people, as the Kuchlibari respondents expressed their concern that their soil is frequently invaded by the Bangladeshis.



**Fig 5.3a: Indian watchtower from the edge of Angorpota**



**Fig 5.3b: Round-the-clock guarding around these enclaves**

### ***5.5.2 Everyday Life and the Time-corridor***

On a trial basis, the Indian side provided an hour's access for the first day, then three hours for the next six months which was then expanded to six hours a day during the latter half of 1992. Since 1993 it has been every alternative hours. From 2001 it became 12 hours a day. The whole corridor area is completely fenced along side of the border pillar. Four corners of the corridor fly Indian flag showing full Indian sovereignty over this space. Each side of the corridor has 5 flashlights that illuminate the whole area. Some beautification plants and benches are there for local Indian tourists. However, there is no permission for the Bangladeshis to slip aside the access road; no one can stay for a long time, in the corridor without two border forces permissions. Besides such restrictions, former neighbours, relatives and friends who are now citizens of two different countries still can meet up in the corridor with prior negotiations with respective border guards for short time.

The previous discussions on the struggles and transfer of the corridor illustrate the production and reproduction of different levels of borders through political decisions in the state level. I am not limiting the analysis on time-border only to the temporalities of border constructions alone, rather broadening my discussion on the time-border with the idea of the shifting border through the daily opening and closing of the corridor. The corridor has two Bangladeshi checkpoints in two entry points between the end of main Bangladesh and beginning of the Dahagram; and two Indian checkpoints within the fenced corridor compound. Control and changes in regulation is central in this corridor without any unscheduled closure. Such as, since December 2009 only twenty cows can pass through the corridor in each week. Recently, news was published that BSF can check anybody inside the corridor if the operative BSF personnel think it necessary (Uttarbanga Shangbad, March 25, 2010). Thus, the BSF is practising on a case-by-case basis who would be checked and what intention of crossing the corridor. It is a power relation on the

corridor because the passage is in Indian territory. The corridor is working as a filter controlling cattle smuggling from Indian land and managing/regulating the Bangladeshi flow through Indian space. BSF's visible control over the corridor and movement is evident from another border scholar, Jason Con's experience on this corridor during his research work,

One day, as my research assistant and I passed through the Tin Bigha Corridor, we spotted a BSF Jawan with whom we had chatted a few days earlier. He flagged us down and with a scowl and said, 'Why did you lie to me'? Puzzled, we assured him that we had not. He replied, 'You told me that you are here to do research, but our informants inside the enclave tell us that you are here to buy eight bighas of land'. We did our best to reassure him of our intentions, but he angrily continued, 'What is there to research here? Living by the border there are only thieves, smugglers, and dacoits'. (Cons, 2007: 23)

Cons' (2007) experience suggests that everybody crossing in the passage is monitored and intentions of crossing the corridor are verified with the informant. There is an intention to know what is happening inside the enclaves. The BDR always keep a careful look to avoid any BSF complaint on Bangladeshis; however, the BSF examine every body crossing the corridor, count the movements and are vigilant about any new face crossing the corridor. I saw that picnic vehicles are loud all the way but keep quiet when they approach the corridor. BDR warn the local Bangladeshi tourists not to take photographs and even restrict people to keep their camera and cell phone inside their pockets or bags. The precise construction of 'them' and 'us' is performed in the Corridor as it is foreign land for Bangladeshis while it is their own territory for India. During the participant observation in and around the corridor, I have witnessed Bangladeshis in fear of assault and BSF scrutiny. Indians are in a relaxed mood to loiter around the whole corridor compound without any concern as it is their own territory. As Bangladeshis and Indians look similar, I, therefore, was considered as Bangladeshi while entering into the corridor from the Bangladesh side; and as Indian from the Indian side. Every time I crossed the corridor from the Bangladesh side, members of the BSF stared at me with an intimidating impression although they never stopped me. Four months later, I entered the corridor from the Indian side along with two Indian friends. The BSF were very friendly and allowed my friends to take photographs in the restricted access corridor but requested us not to take so many photographs on the access corridor as they never allow Bangladeshis to do so. I heard stories of defiant Bangladeshi photographers who were assaulted by the BSF if they were caught taking photographs. It is more like a place of social interaction for Indians while Bangladeshis are in a hurry to cross the corridor as early as possible. Above all, local Bangladeshis and Indians are critically apprehensive about each other. Presumably, ownership of the passage, previous enmity over accession and religious feuds contribute toward such contrasting uses of the corridor. It is a relaxed tourist spot for the Indians while there is pressure on Bangladeshis that anyone might be stopped on suspicion.

Map 5.2: The Tin Bigha Corridor [Image reflection on Tin Bigha corridor on the sketch map Whyte (2002)]

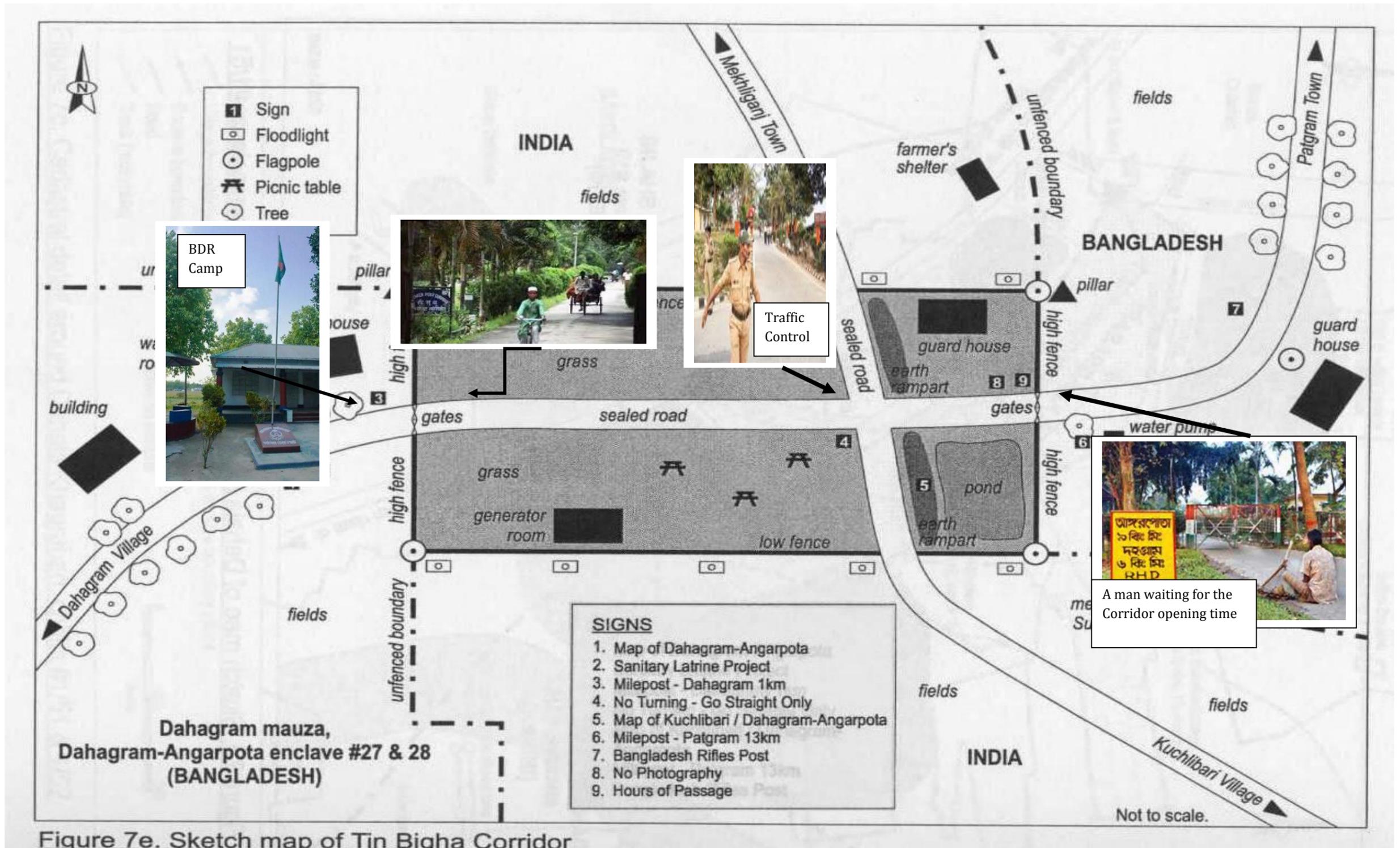


Figure 7e. Sketch map of Tin Bigha Corridor

The restrictions on twelve hours access to the Bangladeshi mainland create connectivity with the world tied to daylight. It is not only the twelve hour-long restrictions; it is the invisible control over everyday life in the enclaves. There was no permission to provide an electricity pipeline using the corridor, therefore the enclaves were dark until March 2010. Accordingly, these restrictions create a vacuum in the hospital and schools inside the enclaves and no external employees want to work there for fear of being cut off at night. All enclave residents manage their activities before the corridor's closing time. They buy and sell agricultural products in early morning and come back home before the sunset. Thus, the time-corridor imposes a strict time discipline for the enclave dwellers (May & Thrift, 2001). Sometimes entertainment activities clash with the corridor closing time, 'It was the district football tournament and Dahagram was facing another union (administrative unit in Bangladesh) in the final match. The game was over by 5.30 pm (Indian time) and more than five hundred people were rushing to get to the corridor but more than hundred people missed the closing time. The BDR and enclave residents requested that the corridor be opened for a while at 6.15 pm but the BSF did not allow them to enter (Baktiar Alam, aged 19, field note, 31 March 2010). Therefore, whatever the situation the corridor never closes before due time and never opens once it is closed. Therefore, what we see here are on ground control over the Dahagram activities.

Only emergency patients are allowed cross the corridor at night if BSF personnel decide that the patient needs emergency treatment. The general procedure is that any patient needing access to emergency hospital care comes to the corridor gate and seeks permission with the BDR; the BDR then informs the operational BSF guard in the corridor. The BSF guard will then decide whether the patient should be designated as an emergency or not. Once he is satisfied he seeks permission to the next higher-level authority and gets the corridor gate key. However, no ambulance is allowed to enter corridor once the corridor gate is closed. It is imperative to note how the role of this corridor shifts over time. The initial agreement considered this corridor as a bridge to connect Bangladeshis; over time this bridge has turned into a soft checkpoint with rights to stop and check any Bangladeshis for security purposes. The stories and struggles over the corridor due to religious lines shows the examples of nationalism constituted by the religion. On the other hand, performativity of the time corridor demonstrates it functions a kind of check point with the power to check anybody crossing the corridor. It shows how the time border is experienced in the daily life the people including their emergency health needs.

## **5.6 Conclusion**

In this chapter, my aim was to demonstrate the everyday performativity of borders and socio-cultural processes involved in the border and bordering processes in the enclaves, which is a catalogue of diverse types of legal and illegal, physical and imagined, hard and negotiated boundaries on and beyond fixed and changed geographic borders. Thus, the above discussions

answer the question, *where is the border?* In other words, where is no border? These borders have no massive geopolitical implications but have ramifications in the mobility within this borderland and its local politics. It is a manifestation of the long implications of cartographic methods and cartographic procedures made by the political elites. For the enclave residents, it is a border between rightful citizens and illegal aliens; it is the border between powerful state agents and powerless enclave residents. This chapter reveals that the host country's legal and illegal actions create serious vulnerabilities in their life and economic survival. The chapter also reveals that the enclave residents never receive support from the home country in extreme cases; for example, Nurul Huda was imprisoned in Bangladesh for being a suspected Indian trespasser. This epitomises the degrees of abandonment from the home country. When the home country abandons its citizens and the host country punishes them for crossing the border, what kind of vulnerability can result? The next chapter will explore this question.

Considering all the discussions in this chapter, I consider this chapter has four main implications for political geography debates on borders. Firstly, border studies need to pay more attention to the embodied experiences of the border. They generally pay attention to national scales which has moved further, with the humanistic turn, to the local scale. In exploring such varied experiences of borders we need to consider the performativity of borders at individual levels. To understand those rich varieties of the border, complexity and ambiguities in border and the bordering process, we need to pay more attention to the embodied experiences of the border. The border performativity in this study explores that the performance of the border varies from site to site, with identities of the involved individuals and with other factors. It can provide illuminating implications of geopolitical decisions and border enforcement on individuals and the local scale. This chapter shows that the border is performed mostly based on individual border guards and border crossers' negotiations along a variety of identity lines. Micro scale considerations of this border bring a diverse performativity to the border; such as the border as a space of exception, porous in nature, strict and haphazard in guarding. In this case the splintered 'other lands' and 'other aliens' create different senses of the border on the smallest scale, i.e. on the body level. Thirdly, the border has its motion both physically and symbolically. The examples of the time-border make a case that geographic border shifts twice a day. On the other hand, the accession of both D & A with Bangladesh suggest that the border has a motion to it—not physically but symbolically through different political processes, legal norms and illegal activities through power relations. The border is everywhere and border functions do not stick on the specific sites of the border. It is flexible and border inspection is everywhere.

Finally, the word border takes on quite a differentiated historical and symbolic significance in the context of the Bengal border because of religion-led cartographic procedures and subsequent developments of nationalism based on religion. The astonishing role of religion plays out not only in the construction of imaginative border between enclave residents and mainland people;

it contributes with the psyche of the border agents as Mustak's Islamic appearance and border experience reflects this fact. In this context, the international border does not, effectively, produce identity within the bounded space of nation-state, it is religion that decides nationalism and goes beyond given national identities. The conflicting demands between Hindus and Muslims in the D & A enclave on whether to annex with Bangladesh or India, and the views that Muslims should be in a Muslim majority country and vice versa, elucidate the centrality of religion. Academic studies on borders make a case where international borders create a bounded space and the construction of the unknown other is a result of the fence or wall.

## **Abandonment and Construction of Bare life in the Enclaves**

### **6.1 Introduction**

As demonstrated in the previous chapters, the home country abandons the enclave residents' in a process of unmaking citizenship; and the host country's border security initiatives and internal surveillances frame these 'non-citizens' as illegal immigrants. Chapter 4 shows how systematically these enclave residents were excluded from any citizenship rights. And, chapter 5 explicitly shows different layers of borders role to keep the enclave residents' in a confinement. Non-citizenship reduces an enclave resident from a rightful political being to a 'being without rights'; and punishable entrances into the host country's territory further reduces his/her status to a rightless person but subject to laws. These systematic abusive treatments construct vulnerability, lawlessness and a state of hopelessness in the enclaves. In this chapter, I document the degrees of these vulnerabilities experienced in the complex terrain of the enclaves. If I put it differently, how the enclaves' residents' lives are victimised in a routine violence by different actors is the scope of this chapter. In the enclave territories, there are no mechanisms to regulate violence, let alone to monopolise them (Van Schendel, 2002: 136). Consequently, political processes affect the political fabric of life – reducing or delimiting the value of enclave residents to a 'biological minimum' (Agamben, 1998). Thus, the chapter contributes to the thesis by examining the third research question that seeks to spotlight the impact of non-citizenship and stringent border surveillances in enclave life.

Building on Agamben (1998), I reflect on constructions of bare life in the enclaves' spaces of exception. While Agamben (1998; 2005) limits his discussion to the politico-juridical construction of bare life, I extend this into the social and gendered realm. I argue that bare life is also produced through the everyday complex interactions between political, legal and social processes and that it is crucially linked to gender. The impacts of bare life on men and women are unequally constructed; certain physical vulnerabilities are greater and unique to women than men. This chapter aims at contributing to bare life debates by (i) providing an alternative insight where bare life is not produced by excessive sovereign power but rather by a state of abandonment, and (ii) modifying Agamben's formulation for a deeper understanding of the multiple forms of bare life. In this context, the aim here is to work with Agamben's (1998, 2005) bare life formulation, draw attention to its limitations, and add two essential aspects of bare life for a nuanced understanding of this concept in light of the ethnographic material.

This chapter proceeds as follows. The section 6.2 concentrates on theoretical debates of bare life; and the section 6.3 focuses on the construction of the spatial extent of the state of exception upon which bare life is constructed. Then, the discussion moves onto the construction of the enclave residents' life as bare life. Bare life will be explored through the vulnerability to abandonment by the concerned states, social vulnerability and gendered vulnerability. The 'vulnerability to abandonment' provides an account of how the enclave life is profoundly implicated in the actions of host country's law while the home country abandons the enclave dwellers. The vulnerability to abandonment encourages enormous socio-political exploitation, what I consider to be social vulnerability. Here, vulnerability to abandonment focuses on the construction of bare life by the state agencies and social vulnerability concentrates on the construction of bare life by the local political elites and neighbouring people. Section 6.6 extends the discussion to the gendered aspect of the construction of bare life. Social vulnerability is experienced equally in both sides of the enclaves. However, the vulnerability to abandonment is felt severely in the enclaves in India because of India's stronger border control mechanisms and specific laws to control illegal immigrants. Disregarding the agony of Bangladeshi citizens in India, Bangladesh equally contributes to the construction of bare life.

## **6.2 Forms of Bare Life**

By now there has been wide-ranging use, critique and modification of the Agamben's deployment of biopolitics, conceptualisation of spaces of exception, legal or extra-legal positions of sovereign power, and ban in different contexts and sites (Coleman & Grove, 2009; Bigo, 2006; Gregory, 2006; Johns, 2005; Yiftachel, 2009). In this chapter, I concentrate on the meaning of bare life (Agamben, 1998), contemporary scholarship on different forms of bare life, and reconceptualise this concept with the examples of Cooch Behar enclaves. Agamben's (1998) theoretical enterprise is based upon the extraordinary capacity of sovereign power to position itself above the law, enabling full control over the suspension of the subject's legal value and status; and the construction of a container or space to accomplish these activities. Thus, Agamben specifies, it is the sovereign power who decides a state of exception and takes hold over the life of the people and constructs bare life in certain spaces. The ban or state of exception is a suspension of general rule (Agamben, 1998:17). Agamben reminds us that 'sovereign is, at the same time, outside and inside the juridical order' (1998:15). The sovereign has the legal power to suspend the law and place him superior to law; thus sovereign is/has the authority to switch over from inside to outside of the law. In this way, the process and actions of exception blur the borders between exclusion and inclusion, rights and facts, subject and object. To Agamben (1998; 2005) inspired by Schmitt's reflections, the sovereign is he who has the potentiality to decide who is worth living, thus included in and protected by the juridical order, and who is not worth living, excluded from society, the sphere of law, and, for this reason, killable with impunity. Such a trivial rank of human being is the effect of the state of exception.

'Bare life' is the life of *homo sacer*, who is subject to the law but is unprotected by the law. Extremely inferior to a politically qualified life, it is, rather, a life exposed to violence in an extra-legal space and status. Stripping citizenship rights and banishing the basic human right to live, sovereign power exposes the *homo sacer* to 'unconditional' death and to violence and abuse. In the extreme form of bare life, anyone can kill him without committing homicide. In extreme form of bare life, anyone can kill him without committing homicide; he can save himself only in perpetual flight or a foreign land' (Agamben, 1998:183). In effect, every moment of bare life is exposed to 'unconditional' death. Thus, bare life is not only the removing of the citizenship rights of a person but also banishing that person's basic human right to live. It is a life exposed to all sorts of violence and abuse. The material abandonment from all rights of the camp inhabitants, in extreme cases, take them to a world beyond any consciousness of trepidation and dismay, what Agamben refers to as an 'absolute apathetic' and a world without memory and grief. Thus, bare life not only considers physical aspects of banishment but also takes into account the physiological impact of bare life on the exposed people's mind. I do not dispute the characterisation of bare life. Instead, I argue for the importance of identifying *how* and *where* bare life is produced.

Agamben specifies that sovereign power takes hold over the life of the people and constructs bare life in certain spaces. On this view, bare life is constructed by single power/force (sovereign power) using diverse violence. This indicates simple and straightforward construction of bare life. I echo Butler's (2004: 68) critique that Agamben underwrites the actual political complexities in which we live, and homogenises the methods of producing bare life. Butler's (2004) key concern is that Agamben overlooks how some people are more vulnerable than others because of the differentiated functions of power targeting specific race or ethnicity. Besides, Isin & Rygiel's (2007) realistic assertion on the multiplicity of spaces of exception, and the diverse methods and functionalities of reducing people to abject inexistence, add new insights on the process of constructing expendable people. While many critical works limit their analysis on the production of subjectivity (Butler, 2004; Salter, 2008), Isin and Rygiel (2007: 182-183) assert the notion of the abject body, whereby through a process of people are neither treated as subjects (of discipline) nor objects (of elimination) but are rather considered 'inexistent beings' by making them invisible and inaudible. On the other hand, I focus on life trapped in-between subject and object within the grip of two nation-states based on spatial location of certain population with the example of the Cooch Behar enclaves.

Mbembe (2003) establishes a correlation between biopower, death and enmity, where race lies at the centre of this function. He argues that bare life is not a single production of biopower but rather a result of the combined effort of biopolitics, necropolitics and necropower. Thus, bare life is not only a sovereign construction, as Mbembe (2003) points out, it links other actors such as armed groups and suicide bombers. Beyond the political construction of bare life and a state

of emergency, Beihl (2001) leads us to a social construction of bare life in the space of Vita, a place of South Brazil, where socially unworthy people are left to die by social services, family members and security forces. Beihl (2001: 135) mentions, 'Vita is the word for a life that is socially dead, a destiny of death that is collective'. In light of Vita, bare life is actively produced by society while politico-juridical plays a passive role. For all aspects, political or social, bare life literatures generally overlook the gendered dimension of bare life (Sanchez, 2004; Pratt, 2005; Mills, 2004). Here, I am arguing for a case where bare life is constructed by the everyday political, legal and social abandonment, as well as by violence and exploitation. These complex violences and exploitations are not uniformly affecting male and female enclave residents rather construct a gendered bare life.

Where is a bare life constructed? Agamben (2000: 40, 41) defines the camp as a space of exception, which is a piece of territory placed outside the normal juridical order where power confronts pure biological life. The spaces of the camp he identifies as non-place and container of bare life and enumerates that such a non-place is the product of civil war, extra-ordinary political event or war zone (Agamben, 1999, 2005). Agamben's theorisation of space of exception and bare life is valuably used in the context of migrants, refugee camps and detention camps like Guantanamo (Diken & Laustsen, 2005; Diken, 2009; Hyndman, 2000; Perera, 2002; Rajaram & Grundy-Warr 2004). The 'return of the camp' (Minca, 2005) is ever more leading as we consider the proliferation of structures like Guantanamo or if we think about the whole network of secret prisons around the world. They become true biopolitical spaces that render inmates at the complete mercy of the police or state authorities that act as sovereign.

Although, consideration of bare life from a camp's perspective is a dominant approach in recent academic discourses, the border and borderland are also considered as the spaces of exception taking into account the securitisation practices and border guard's decision-making power (Salter, 2008, Jones, 2009a, Vaughan-Williams, 2009). Bare life in the border widens the scale of the spatial extent of bare life; and considers the performativity of the border as a zone of exception to the border crossers. As border crossers do not necessarily belong to that border zone, spaces of exception in the border and camp involve displacement and transportation of people to sites of exception. These insights do not interrogate a condition of space where everyday life is exposed to the mundane production of bare life through violence, abandonment and social exploitation. In contrast, Cooch Behar enclaves are spaces of exception where people become *homo sacer* in their own niche. Finally, a cautious note about the bare life in enclaves; every life is not produced as bare life but everybody who is living in this space of exception is potentially reducible to bare life. Some people exist in bare life for the span of their life, some are killed and few others might have a less destroyed life. In this way, bare life is randomly constructed.

### 6.3 The Enclaves as Spaces of Exception

Enclaves are spaces of exception for two reasons. Firstly and most importantly, these places are excluded from legitimate state law but are irregularly included in illegitimate sovereign power and control, blurring the distinction between licit and illicit. Secondly, these places are the container of *homo sacer*.

Enclaves in India and Bangladesh come under the host country's illicit and patchy sovereign power when these liminal spaces have the potential to cause harm (for instance through opium cultivation, the spread of diseases, or alleged criminals-hideout) or can provide better connectivity between two places for the host state. The host country is, though, constantly vigilant to prevent any 'infection' from the enclave to the mainland, in what Turner (2007: 298) defines as a 'sequestration' of the population. Although illegal in both states, Bangladeshi gangs have introduced and controlled lucrative opium cultivation in Dashiarchora (an Indian enclave in Bangladesh) for years, commonly destined for the Bangladeshi mainland. While things went out of control, Bangladeshi border security forces and local administration officers entered the enclave to burn the cultivated opium (Mustafa, 2010). Bangladesh as a host country had decided to secure her territory from illicit drugs and stepped into an area beyond her jurisdiction on the grounds of necessity. A similar invasion occurred in the Bangladeshi enclave Poaturkuthi during the bird flu epidemic in India in 2009. Concerned Indian government authorities destroyed all the chickens in the area, including those in the enclave, to avoid the possibility of the disease spreading. Indian poultry owners were compensated for the economic damage brought by these measures, but such provision was not extended to the foreign enclave land (Sengupta, 2009). In addition to these special measures, Indian and Bangladeshi border guards randomly enter the enclaves to catch smugglers or criminals if they use the enclave for hideouts, and sometimes beat enclave residents for information. Such practices signify illegitimate practices of sovereign power and control in the enclaves.

In addition, the host country uses the enclave territory for different purposes; such connecting two mainland territories for electrification, water pipelines and road communication purposes. Most interestingly, BSF vehicles frequently use the road through the middle of Bangladeshi enclave, Mashaldanga, and it is the only road to connect five nearby BSF camps. While host the country is practising extra-territoriality (*see* figures 6.1a-d); they are imposing different restrictions and boundary lines for the same enclave residents. Such activities reflect the power relations. The administrative surveillance technologies and production of the boundary sites are to exclude the 'foreigner other' based on nationality boundary, and this boundary is performed only on the enclave residents' body. On the contrary, the host state is crossing the sovereign boundary and practices extra-territoriality.



**Fig 6.1a: Indian State Government authorised road by the middle of Bangladeshi enclave Mashaldanga**



**Fig 6.1b: Public transport by the middle of Bangladeshi enclave Mashaldanga**



**Fig 6.1c: Bangladesh government authorised roads inside Indian enclave Gaochulka**



**Fig 6.1d: Indian State Government authorised electric poles inside Bangladeshi enclave Korola.**

Neither India nor Bangladesh have institutionalised their legitimate sovereignty in these enclaves being the home country. Administrative absence in the enclaves deprives residents from their due citizenship rights. The areas lack paved roads, electricity, gas, water supply, hospitals and schools. Residents have constructed a few mosques and temples to continue religious activities. In extreme cases, there are incidents of murder inside the enclaves. The victims did not receive justice. The absence of state law in the enclaves constructs a ‘non-state space’ in the modern world (Van Schendel, 2002: 139). A space of exception is created through practical abandonment.

Agamben argues that *homo sacer* cannot dwell in the polis (Minca, 2007); hence, the space of exception is the *homo sacer*'s container. I prefer to say that the extra-legal spaces are not only the container but also creator of the *homo sacer*. In this case, the home state has forgotten a few fragmented parts of her territorial pack. These enclaves are left outside of the legal frame because of their geographic reality and geopolitical insignificance (Whyte, 2002; Van Schendel, 2002; Jones, 2009). There needs to be more emphasis on geography's role in the construction of life beyond legal status. This space is created with the logic of detachment and non-contiguity, and insignificance through gradual abandonment. In light of this, a space of exception is created in geographical terms. It is the geography and cartographical construction of ‘abjected space’.

In the camp, bare life is constructed only by the sovereign power through diverse forms of violence. On the other hand, multiple actors construct bare life in the enclaves through different layers of execution where all sorts of powers and violence are directed toward a community. Most significantly, both the camp and the enclave survive in the shadow of the power of sovereign authority, as Agamben (1998) explicitly asserts as judicially empty spaces. Similar to the image of camp are the bodies of victims (Lee, 2010); the enclave is the niche of a community exposed to death or violence. Thus, these enclaves, like the camp, are a zone of

indistinction where law and politics intersect providing sovereign power the leeway to play with fact and law.

#### **6.4 Construction of Bare Life by State Agencies: Vulnerability to Abandonment**

In this section, I focus on the legal and extra-legal actions by both the states' apparatus to construct bare life. To do this, I will first consider how the home country constructs a rightless body by ignoring fatalities of its own citizens in the enclaves. Secondly, I explore how the host country uses its power and law to punish these rightless bodies. In the host country, they are considered as illegal infiltrators who are deprived of basic human rights. The enclave residents survive with only limited legal formal rights from the home country; thus their rights to seek the basic needs of a citizen are frozen (Roy Pradhan, 1995; Van Schendel, 2002). It is the suspension of the right to rights, constituting bare life, as illustrated in the story below:

*Moin a 20-year-old man was taken by the BSF from inside Korola, and charged as an illegal Bangladeshi infiltrator. His father arranged the documents to prove Moin's true identity as a Bangladeshi enclave resident, not a 'Bangladeshi infiltrator'. During the trial, the judge astonishingly learned, for the first time, about the existence of the enclaves and was sympathetic to Moin's political ill treatment. The judge, then, admitted his powerlessness by saying, 'the law is blind in this context and Moin is a Bangladeshi intruder by law'. The court announced the lowest allowable punishment for him, which was two years imprisonment.'*

(Minhaz Ali, aged 50, interviewed in a Bangladeshi enclave on 26 October 2009)

While I interviewed Moin's father, Minhaz Ali, Moin was in the seventh month of his two-year-long jail term. Like Moin, many other enclave residents were either in jail or had finished their incarceration during the time of my field research. During a crisis the enclave residents' only option is to file an appeal with the home country's High Commission by post or in person (Sengupta, 2009). The home country's agencies have neither come forward to prevent such imprisonment, nor have they undertaken any bilateral initiative to grant the enclave residents a legal status in the host country to guarantee their basic needs. It signals the home country's elimination of the very meaning of citizenship even in an emergency. Citizens are increasingly presented as *homines sacri*. In this way, the home country is not only denying enclave residents' citizenship rights, but is also ignoring whatever fate they may suffer because of non-citizenship. This reflects Agamben's criticism of law and justice: 'The ultimate aim of law is the production of a *res judicata*, in which the sentence becomes the substitute for the true and the just, being held as true despite its felicity and injustice' (Agamben, 1999: 18). In the case of Moin, law is not directed towards the establishment of justice but instead reveals its power by seizing two

years of someone's life. Thus, bare life joins the juridico-institutional and biopolitical models of power (Butler, 2004).

While the home country's abandonment grants the condition of bare life, the host country uses its sovereign power over rightless people. In other words, the enclave resident's body is given an extra-legal status by the home country upon which the host country exercises its sovereign power. The citizen/foreigner binary declared by the Indian Foreigner's Act ignores the enclave residents' reality. In effect, this binary constructs another immobile binary between the political being of citizen and the excluded body of bare life (Lee, 2010), although they are considered citizens of the home country which in practice is a quasi-citizenship. It is a quasi-citizenship because they are represented as citizens of the home country in the imaginative geography of the host country. The result of this representation is to eliminate them from any attempt to take part in anything in the host country. The biopolitical measures in the host country produce a form of life, which is still connected with law but in an inclusive form of exclusion (Vaughan-Williams, 2008).

Indian hospitals generally disapprove of admitting enclave dwellers:

*My former neighbour Kamrul Islam's only son, Ripon (12), was suffering from a fever and the boy became unconscious. His father took him to nearby Dinhat hospital but the hospital administration denied him admission saying, 'No enclave dweller can receive any medical treatment here'. The patient died at home within twenty-four hours. His father was terribly upset and left the enclave for good and moved to Kurigram, Bangladesh.*

(Kiron Barman, 30, interviewed in a Bangladeshi enclave on 29 October 2009).

The law forces enclave residents into lawlessness. This boy's sad demise proves that enclave residents are commonly exposed to death. In Agamben's (1998) words, such exposure to death occurs through a sovereign power declaring the non-value of life. There are examples when the host state agencies' activities portray that they are above the law. A state government authorised road passes inside Madhdha Moshaldanga enclave to connect three border security forces' camps. Electric poles and a water pipeline went through this enclave to provide services to Indian citizens. Significantly, every BSF official's journey to the camp, along the Indian government authorised paved road into the enclave, is an illegal intrusion into foreign space. Five young men were caught in Cooch Behar in 2008 and they are serving two years punishment for illegal intrusion; the BSF even caught one enclave resident and then imprisoned him or her as an illegal Bangladeshi (Ali, 2010). The changing and contingent enforcement of legal and illegal intrusion reflects the fact that the host country's acts are above the law as the sovereign power.

State agencies work as the agent of the exception and take the decision on the exception of sovereign power (Jones, 2009a). The individual is deprived of his or her prior conditions as a citizen. In relation to Moin's case, the term foreigner is used to restrict the enclave residents' acts of survival, which is sometimes glorified as ensuring security by keeping illegal immigrants away. Therefore, the victim is considered as the punishable criminal causing insecurity and vulnerability for the enclave residents (Cons, 2007). In brief, the home country excludes their legal rights or citizenship rights and the host country includes them as a subject to law. The state policy and politico-legal machinery, thus, construct politico-legal form of bare life, at times responsible for killing the enclave residents.

## **6.5 Vulnerabilities to Wider Violence: Social Exploitation**

The previous section illuminates the construction of unworthy and unwanted life by the host and home states' legal machineries. Such abandonment exposes the enclave residents to other forms of exploitation, which dehumanises these people broadly and deeply. Ikram Mia (60) mentions that life without judicial rights make them only living beings, without any respect and dignity and it is beyond their imagination to resist any social repression. This section focuses on different, but interlinking, threads that make a socially constructed bare life, including political elites, gangs and mainland neighbours. Collectively these social acts make a life not profitable to live as Bimol Barman (aged 60, field note, 12 January 2010) says, *'I do not know what is the joy of living, and it is all about humiliation, insecurity, frustration and then wait for a death to end everything. Only death can provide a rest from constant run from insecurity'*.

Besides the instrumental use of the legal norm, political use of laws by local political elites adds to vulnerabilities of the enclave residents. In highly corrupt, politically biased developing nations like India and Bangladesh, ordinary people are always victims of the political elites' power. Such acts are highly visible in the enclave, as the ability of enclave dwellers to resist is curtailed. After Cooch Behar joined India in 1949, many enclave residents' properties had fallen into two separate countries as the enclave-mainland border became legally and administratively active (Chatterji, 1999; Van Schendel, 2002). Soon after the 1965 war, India declared the Enemy's Property Act, which specified state control over the properties left behind by those who migrated to Pakistan renouncing Indian citizenship (Enemy's Property Act, 1968). Under this act, 900 *bighas* of land owned by the Batrigach enclave residents' were vested because of the enclave residents' legal status as Pakistani. Few people wanted to be present while the Indian government provided them with options to seek compensation, but it was the then local political elites who threatened enclave residents not to do so (Sengupta, 2009). Once these lands are vested, the political elites use their holds to reallocate those properties to their political followers. Similar actions were taken in Gobrachora enclave, which is now owned by a very

influential local lawyer (Habib, 2010). This is an opportunity to make an estate without falling foul of the Indian land ceiling limit.

The political elites not only grab enclave residents land illegally; they control the enclave space, such as in Dashiarchora, an Indian enclave. Since the early 1990s people in Dasharchora became a victim of a kind of ‘*jatra*’ (local opera) arranged by the local political elites, with invisible support from the local administration, police and musclemen. It comprised of basically ‘unsocial’ activities under the cover of ‘*jatra*’, including prostitution, gambling, drug dealing and other activities, all of which are illegal in Bangladesh. So they have chosen the enclave as a safe place. Although ‘*jatra*’ was moved out in 2005 after the local administration’s intervention, the enclave is a big business place for drug trading. During a month long ethnographic participant observation in this enclave, I observed rallies of motorbikes dropping and collecting drugs from evening to early morning. Such open business is only possible because of the enclave’s existence beyond the law. Criminals and gangsters are so aware of the ‘status’ of this place, they either bring people to be killed (host country citizens) or leave bodies inside the enclaves (The Times of India, 2001; Mustafa, 2010). Enclave residents are beaten and threatened by the smugglers and musclemen if any illegal activities are disputed. Additionally, cattle smugglers take enclave dweller’s cattle on the way, sending their cattle to the other end of the smuggling route. During the time of festivals, enclave residents provide ‘tolls’ otherwise mainland people make their life harder to live. The mainland neighbours are, generally, very brutal and take advantage of the enclave residents’ powerlessness. Topon Sarkar mentions,

*“Mainland people happen to be our friendly neighbours but now they take advantage of our stateless situation. They take our pets away without our concern, forcefully hold our land without any fear and take our fish from lakes inside the enclaves. If we protest they threaten to barricade our endeavour to enter mainland. We never go for any conflict with them even after they humiliate us saying ‘man without country should not have any voice’. They are right. What can we do other than relying on their mercy?”*

Topon Sarkar (male enclave resident, aged 40, interviewed in a Bangladeshi enclave, India on 19 March 2010)

Such neighbourhood experience is very common in all the enclaves on my study areas in both sides of the border. Besides the individual construction of bare life, there are examples of constructing bare community. Before the independence of Bangladesh, two enclaves, Moshaldanga and Batrigach were set ablaze by political activists and people fled as refugees (Whyte, 2002, Van Schendel, 2002; Hussain, 2010). People living in the enclaves fled to different places, mainly in Pakistan. However, they had to go back to the enclaves after a flag

meeting between Indian and Bangladeshi border guards (Haq, 2001). Such extreme actions against a whole enclave have not changed over time. Recently, Bangladeshi gangs torched the Garoti, Indian enclave, once the enclave people killed a robber while robbing inside the enclave (The Times of India, 2010). This time they had no shelter from home country and they remain exposed to the mercy of the gangs. Socio-political violence is not only directed to individuals but also against the whole enclave. All enclave residents flee for security, leaving the enclave almost empty. Such attacks against any enclave construct a bare community as well as bare body. An attack on whole enclave can at least get media attention and generate border guard level discussions. However, individual vulnerability or an incident that even involves killing does not make any difference.

A climate of fear exists amongst enclave dwellers' psyche to stand against social exploitation. During my participant observations, I was told two versions of their neighbourhood relations. The 'negotiated version' of their story tells of the good relations with the mainland people. On the other hand, the 'real version' is unveiled only at night during one to one discussions and with the promise to keep respondent and the enclave anonymous. Such contrasted assertions of enclave life reflect the grounded reality of fear, vulnerability and power relations. In this context, fear is politically constructed and diffused from national to local levels. The history of fear in this place works as an organising principle of social life and exploitation by the local political elites, criminals and neighbours adds fuel to the state built bare life. However, it is important to note that while some people experience vulnerability of abandonment, others might be more prone to social vulnerability, and many experience both. The exposure to bare life is same for all, but experiences of bare life might not be similar being individually constructed.

## **6.6 Bare Life in a Gendered Dimension**

Throughout this chapter I have so far only mentioned the gender dimension as compounding the experience of women, whilst I have aimed to portray a clear picture of the political, legal and social construction of bare life in the enclaves' spaces of exception. Such an attempt cannot bring a lucid picture of bare life without reflection on the gendered sufferings of extra-legal womanhood. As an expression of gender inequality women experience a unique threat of sexual violence (Valentine, 1992; Pain, 1997), and different forms of patriarchy (McEwan, 2000, Walby, 1990) in their day-to-day life. While sexual violence and patriarchy are the generic gendered vulnerability, my empirical data reveals that rightless enclave women are awfully exposed to, and victim of male violence and different forms of patriarchy because of their extra-legal status in a zone of abandonment. With this gendered vulnerability, I am arguing that bare life in the enclaves' spaces is not gender-neutral.

Agamben's theorisation of bare life solely considers the construction of bare life in a man's world, yet bare life is also a gendered phenomenon. In this context, my intention is neither to criticise Agamben for not considering the gendered aspect of bare life (Mills, 2004; Mitchell, 2006; Lentin, 2006; Sanchez, 2004) nor I am focusing on the private-public debates of political life (McEwan, 2005; Landes, 1998; Pateman, 1988). Rather, I am echoing Pratt's (2005: 1057) take on the danger of generalising across the experience of men and women in bare life as the 'gender hierarchies support and relay the split between biological and political life, which is both cause and effect of abandonment'. The law of elimination targets gendered bodies most constantly enfolding of geographies of private and public one onto the other. Here, I am arguing that theorisation of bare life cannot bring the full essence of this concept excluding gendered subjectivity in the zone of exception. We need to consider the gendering of legal and social abandonment alongside discussions on general vulnerabilities.

In the enclaves' spaces, man and women are equally rightless. However women enclave residents are victim of certain gender-specific traumatic experiences besides the general experience of bare life. These include connected processes, such as abandonment from any citizenship/human rights and specific health needs in maternity. Secondly, legal abandonment and lawlessness not only situate life unworthy in a nation-state but also enhance the sexual violence and private patriarchy. Thirdly, public forms of patriarchy involve degradation from citizenship when host country women get married inside the enclaves. Host country's women's citizenship rights are compromised by the fact that they become part of the enclaves, which maps onto the impact of the spaces of exception in the production of bare life. This is not legal abandonment but socially constructed discrimination of women as they move to a space outside the rule of law. The aforementioned processes of the construction of bare life vary with the geography of origin of the women involved with the enclave; such as women born and married inside the enclaves generally spend their whole life in an extra-legal space in non-citizenship status. Mainland women married in the enclaves suffer loss of citizenship in everyday practice; and enclave women married in the mainland either are tortured or achieve a new citizenship in the host country. All these experiences of women, connected to the enclaves imply an array of public and private forms of patriarchy rather than rigid dichotomy (Walby, 1990). To explore gendered bare life, I am using three examples.

The institutionalised process of constructing gendered bare life expose woman to maternal mortality and stillbirth. Amina Banu recounted her daughter's severe health hazard during her pregnancy:

*'My daughter's baby was due and she became very ill. We took her to the local Indian hospital. While we were unable to provide any Indian document, the hospital administration declined to attend her. We requested so much to consider the humanitarian ground and emergency*

*services to save my daughter and grandchild's life but our requests have fallen on deaf ears! They left her in the hospital corridor while she was screaming with pain; this negligence forced a stillbirth. Allah saved my daughter but the doctors killed my grandchild!*

(Amina Banu, aged 40, interviewed in a Bangladeshi enclave on 09 March 2010)

Female enclave residents are not allowed to receive emergency health care even on humanitarian grounds, which exposes both mother and child to death. The process of abandonment systematically reduces enclave woman to bare life. This suggests the construction of *femina sacra* at the mercy of sovereign power signifying the zone of indistinction between violence and law (Ientin, 2006: 471). These nationalised deaths happen silently and go uncounted in the enclaves' spaces of exception. This example epitomizes the lack of worthy life attached to female enclave residents and their motherhood! It is an extreme example of the construction of a baby's bare life even when the baby was in mother's womb. Literally, a female enclave resident's womb has become the container of a bare life.

Since enclave people are living in a space of exception and abandoned by the judicial procedures of any state, female enclave residents are the most vulnerable to sexual assault. The vignette below illustrates a tragic story of a 10-year-old enclave girl, Rubina. Rubina's grandmother explains:

*'On that day, my grand-daughter was home alone. When I was back, I saw a man raping my grand-daughter and she was crying and screaming (tears in grandmother's eyes). I was spell bound for a minute and grabbed a stick and started beating the man. He escaped the place. After a while, the man came back along with his gang and forcefully took us with them. I was tied up to a tree at the premise of the Panchayat's (local elected political representative) office and was beaten severely. The Panchayet fined me 2000 rupees for beating that rapist! I was tied up there until I paid that fine. Irony! No punishment for raping a kid but a fine for chasing the rapist!'*

(Amina Banu, aged 50, interviewed in a Bangladeshi enclave on 05 November 2009).

The incident occurred inside an enclave. It reminds that they are the people of the space of exception thus they do not qualify to live, complain and resist. Rubina could not claim any legal protection against sexual harassment because of her non-status citizenship. Thus, she was reduced to a status where she did not have rights over her own body against such brutality. In the same incident, Amina's logical response to the rapist is represented as a violent and punishable act. Both Rubina and her grandmother are excluded from the judicial systems, their human rights are abandoned. Similar to de Vries' (2003, cited in Pratt, 2005) recognition that sex workers are excluded from 'person's category'; Rubina and her grandmother are also downgraded from 'person's category'. In addition, the rapist's exoneration from his heinous

crime patronise localised violence, which actively and passively constructing gendered bare life. This suggests that enclave women and girls are a target of specific violence because of their gender and extra-legal status.

The third example provides an extreme case of bare life. Mahima Khatun (aged 18) was married to an Indian man and was living with her husband's family in an Indian village. For not having citizenship ID, she was vulnerable to domestic violence. She was sent home (in the enclaves) several times to fulfil the commitment of the dowry. When her poor father failed to provide the promised money within three months, Mahima came back home as a dead body. Her husband said she committed suicide but Mahima's father and neighbours claimed it was murder as there was evidence of torture and bruises to her body. Mahima's father wanted justice for his daughter's killing but who could provide the justice? Almost all of the female enclave residents are at similar risk from domestic violence because of their inability to seek justice, even if they are killed. This powerlessness makes enclave women uniquely prone to private patriarchy that links rightless women and powerful citizen man. There are several examples of such patriarchy evident in the enclaves. This includes abandoning an enclave wife whenever enclave man wishes to do so, or depriving women from inherited family properties when distributed amongst heirs. Gender hierarchy and bare life experiences suggests enclave women are more vulnerable than enclave men in certain aspects of everyday life.

Every story reminds one of Butler's (2004) proposition that social vulnerability of the body is politically constituted. All the empirical evidence of the gendered dimension of bare life elucidates women in extra-legal status. They are victim of certain forms of violence which are neither comparable to general vulnerability of citizen women, nor possible to explicate through gender-neutral theorisation of bare life. Male violence to enclave woman is predominantly from the citizen man but also involves enclave man. Therefore, bare life is hierarchically produced, leaving women relatively powerless in comparison to man. These silent tolerances and, hidden gendered traumatic experiences of violence require adequate attentions in bare life theorisation.

## **6.7 Conclusion**

The aim of this chapter is unpacking whole sets of interconnected actions to construct bare life in the enclaves. In addition to the sovereign creation of bare life, social and gendered dimensions are essential for a nuanced approach to bare life. However dominant academic discourses overlook the vast array of processes that construct bare life. Rejecting the strict consideration of the state of emergency, abrupt suspension of law, total authority and control over the spaces of exception and camp based construction of bare life, I argue that the length of bare life, characteristics of the spaces of exception and geographic reality might vary case-by-case, and can play a complex role in the construction of bare life.

The enclaves' context provides opportunities to consider 'bare life' from few different aspects. Firstly, bare life is constructed not just through the presence of sovereign power, but through its absence. Schmitt formulates that the state of exception ensures the monopoly of violence, which in turn guarantees the monopoly of the sovereign power over that space (Schmitt, 1996: 46). Thus, it is considered that excessive power over that space by a single sovereign power, in an unbroken bounded territorial limit, constructs bare life (Agamben, 1998; 2005). In addition, this excessive power is justified with the argument that this power orders the space. The existence of these enclaves challenges these concepts and connects two sovereign powers' overlapping roles to craft a space of exception. The home country contains authority but no control, while the host country exercises patchy control over the enclaves without any authority. In practice, the *de jure* sovereign power is absent in the enclaves while the *de facto* sovereign power occasionally controls enclaves' spaces.

Secondly, it is important to explore social relations of everyday life in the zone of legal exclusion and abandonment. When bare life is constructed through the absence of sovereign power, people become victim of social exploitation. Both the states offer only cheap mystification (Agamben, 1999). The complex strategies and technologies of social otherness embedded in the enclave life suggest the importance of counting the social construction of bare life. And, thirdly, the experiences of bare life are not uniform for men and women. Gendered dimensions of bare life are essential to understand the full essence of the bare life experience. While exposure to institutional violence is unique in the enclaves, some other gendered vulnerabilities articulated in this chapter are not unique in the enclaves. However, the danger and intensity of the exposure to male violence in an extra-legal status, and trauma of double victimisation (victim of violence and then inability to seek justice), make gendered vulnerability in the enclaves' spaces of exception unique to those of citizen-women's vulnerability.

Finally, there are no violent contestations against sovereign power in the enclaves. However, the citizenship aspiration and the acts such as rally, hunger strike for an early exchange of these enclaves demonstrated in chapter 4 suggest bare life is not the end of a political life. On the contrary to the general construction of bare life as limit case, the enclave residents resist state initiatives through their everyday survival measures and recent political actions for citizenship aspirations. Some people are successful, some go through miserable experiences and some lose the battle and die. Thus, every life in the enclaves is not bare life, but everybody is exposed to such vulnerability. The detail of everyday survival in the enclaves will be explored in next chapter.

## The Rhythms of Everyday Survival: The Art of Living in the Enclaves

### 7.1 Introduction

*In a desperate financial crisis, I decided to sell my land. To do this, I needed to go to Indian land registration office. My Indian relatives bribed a Cooch Behar land registration office employee for a smooth registration including a fake buyer (on the name of the potential buyer). Then, a border broker was paid to supply a ladder and to signal (missed call) the safe moment to cross the fenced border at night. If spotted by the border guards I could be shot dead. I finished my work during the day, waited until it is dark, crossed the fence again and came back home alive. I was so close to death!*

(Monir Mittir, male enclave resident, aged 35, interviewed in an Indian enclave on 30 January 2010)

*'I always wanted to marry an Indian woman that can provide a gateway to Indian voter card. Luckily, my marriage dream came true but failed to obtain voter card although I spent several thousand rupees on political leaders, Panchayat Prodhan, brokers, and local administrative officials since I got married. Unexpectedly, I found an amazing opportunity when my brother in law died last year. Officially, my brother in law did not die but got a different look with my photo on it'.*

(Amol Paul, male enclave resident, aged 27, interviewed in a Bangladeshi enclave on 16 October 2009)

Both the stories delineate the scope of this chapter - how do the enclave dwellers maintain their everyday life in a zone of abandonment? Monir Mittir and Amol Paul's acts were small in relation to a state but crucial for their own survival. Thousands of enclave dwellers like Monir and Amol depend on similar types of actions for their everyday living. To avoid 'bare life', these people construct spaces of survival using legal and illegal tactics, local politics and the geography of the enclaves that flow together and sometimes reinforce each other. As indicated in the last chapter, enclave dwellers adopt diverse innovative methods to escape from bare life.

Unlike the coexistence of bare life and resistance (Gregory, 2006), enclave dwellers try to evade such vulnerability through their survival routines.

How should we conceptualise these survival methods? Do these acts of living explain a form of resistance? Resistance is characteristically understood to be expressed through the visual politics of rejection such as protest, public statement or sometimes destruction (Amoore, 2005). Based on the Foucauldian concept of the power/resistance binary (Foucault 1979), resistance theorists conceptualise different forms of resistance. Sharp et al (2000: 3) define it as ‘any activity that resists the impositions of domination power’. On the other hand, resistance can be ‘infrapolitics’, as James Scott (1990) proposes, that include poaching, squatting, desertion, evasion, and so on. Although Scott mentions individual action, he, like other resistance theorists, also considers a specific group or movement (Scholte, 2000; Amoore, 2005). Neither Monir Mittir nor Amol Paul’s actions opposed the involved states’ measures nor did their actions attempt to change domination against the enclaves rather they individually and temporarily managed to get by. A conceptualisation of resistance has no space for these actions. Alternative frameworks for activities that do not fall into the dominance/ resistance binary are also inadequate to capture the complexity of enclave life.

Jones (2012) conceptualises spaces of refusal as intentional individual actions that violate the rule of state in everyday practices without any political mandate. He mentions, ‘These other ways of seeing, knowing, and being are important acts that refuse the sovereign power’s claim to define subjects and activities in those spaces’ (Jones, 2012: 695). Jones (2012) describes choice-driven or voluntary movements across the border outside the purview of the state and border guard. However, Monir’s story of border crossing is a necessity-driven act of refusal but exhibits a complex situation. For Monir it was the legal action of land registration involving illegal border crossings. And, Amol’s story goes beyond the scope of ‘spaces of refusal’ rather it is a quiet encroachment. Bayat (2010) proposes encroachment and activism that contribute social change. Both Monir and Alok’s stories surely link silent encroachment to the host country. However, such encroachment is not part of a social nonmovement as Bayat (2010) proposes in the context of Middle East. Social nonmovement, as Bayat (2010: 14) proposes, is ‘collective actions of the noncollective actors; they embody shared practices of large numbers of ordinary people whose fragmented but similar activities trigger much social change’. On the other hand, spaces of survival in the enclaves involve short-term, necessity and choice driven, diverse, tireless but less ambitious, and at times risky and non-confrontational acts. Therefore, everyday survival in the enclaves presents a more complex situation, where people constantly negotiate for survival in a non-citizenship status, rather than refusal of the state imposed order or encroachment.

With this background, this chapter shows the innovative and diverse ways of survival methods applied by the enclave residents. They are conscious about their powerlessness and they portray adaptation to different types of domination such as social, political, institutional, and their responses vary with the type of domination. Crucially however, chosen survival tactics might expose them to an increased vulnerability as Monir Mittir's story demonstrates. His economic survival gesture through a perilous border crossing could cost his life, constituting an extreme form of bare life. With this consideration, it is important to examine (i) *what* enclave dwellers do to make life work and (ii) *how* do these '*what*' factors affect their life in dynamic ways? To understand what people do, I will use the concept of tactic in everyday practice (De Certeau, 1984). Using the anthropological concept of temporal rhythm (Harris, 2000), I will then explore the second proposition. Neither approach individually adequately paints a clear picture of the diverse motives and methods of constructing everyday survival in the enclaves. Rather they supplement each other. How people choose between tactics, become innovative, improvise their methods and learn from errors is the key focus of this conceptualisation. Therefore an approach looking into the rhythms of everyday survival tactics can bring a fuller picture of the complexities of enclave life.

This chapter begins with the theoretical consideration of the rhythm of everyday survival tactics. Then the discussion moves onto the rhythm of everyday individual survival techniques to encroach in the host country that includes personal connection, opportunity, and corruption and so on. Survival techniques vary depending on the geographic location of the enclave and mobility across the border. Geographic location, tactic and permanent settlement will be discussed in fourth section, and the advancement of life through cross border (India-Bangladesh) mobility will be explored in the fifth section. The cross border mobility activities are not desperate methods to live but these are the ways to advance and develop life economically and culturally. Then, I will move onto the community formation and alternative approach to address non-citizenship circumstances in Dashiarchora enclave. Collectively, Dashiarchora residents form a self-governed enclave. Thus, the chapter answers the final research question of the thesis by exploring diverse, interconnected and discrete methods of survival. This can provide an understanding of the functional process, agency, economy and hierarchy involved in the whole process of making life feasible in the enclave.

## **7.2 The Rhythms of Everyday Survival Practices: Conceptual Matters**

To explain the rhythms of everyday survival tactics, I will first define tactic and rhythm; and then, I will move onto the connections between these two concepts in the context of these enclaves. De Certeau, (1984: 29) proposes that there are countless ways of 'making do' in everyday practices and the modes of 'making do' vary with the necessity, opportunity, fortitude, circumstance, and the nature of the dominance people encounter. The weak choose tactics as the

weapon to survive (De Certeau, 1984: 37). Tactics, he conceptualises, are isolated actions that take advantage of the opportunity of the ambiguity of law. De Certeau (1984: 40) mentions daily practices of consumers, dwelling, moving about, speaking, shopping and cooking are linked with 'tactical ruses and surprises: clever tricks of the "weak" within the order established by the "strong"'. However, He reminds us that these tactical achievements are short-lived. In a different analytical aspect and conceptualisation, Bayat (2010) formulates a similar notion under a different name - quiet encroachment. Asef Bayat's (2010) formulation of quiet encroachment of the ordinary refers to noncollective but prolonged direct actions of dispersed individuals and families to acquire the necessities of their lives in a quiet and unassuming illegal fashion. Thus, quiet encroachment is a form of tactic. However, the impacts of tactics and encroachment vary significantly. Tactics bring temporary success for the individual and encroachment is linked to big numbers and societal change through social nonmovement. Bayat (2010: 17) mentions that individual actions of the millions of urban poor, youth, Muslim women are involved in ordinary practices of nonmovement but 'they are bound to lead significant social, ideological and legal imperatives'. Everyday life is not merely what people achieve through tactics; it is also disappointment, learning and moving forward. De Certeau was more concerned with what the weak/poor do but paid less attention on *how* they use tactics. *How* do they constitute the spaces of survival? What drives them to make a decision between necessity and choices? What happens when a tactic fails?

The temporal rhythms in everyday tactical measures and adaptation can answer the above-mentioned questions and can bring a rich account of the politics of survival. There has been a lot of work on rhythms influenced by Henri Lefebvre's (2004) book *Rhythmanalysis: Space, Time and Everyday Life*. Geographers have been interested in rhythm's influence in everyday human experience in timespace (Edensor, 2010); comparative study between Indian road users and British road users and variations on rhythms of roads (Edensor, 2000); rhythms of the city (Crang, 2001); extra-everyday practices in the city of Varanasi (Tiwari, 2008); resistance and the rhythms of consumerism (Conlon, 2010); human understandings of place and tidal shifts (Jones, 2010); rhythms of climate change (Evans, 2010). Here I will use Harris's (2000) formulation of rhythms. Harris (2000) develops the rhythms of life in the Amazon floodplain and explores how people shape their life with seasonality. He mentions that the rhythm of life on the floodplain is organised by the people's perception of the seasonality of the environment, adaptation with the changes and strength to face new challenges. Thus, people shape and reshape their social and economic aspects of life during seasonal variations year after year. Harris (2000: 18) highlights key aspects of man-environment relations; such as, people do not know in advance what will happen. Prediction is useful in this context; however, it might be proven wrong. Therefore, people rely on their perpetual abilities to know the changes in the environment. 'Their knowledge of change arises primarily from their active engagement and movement in the landscape' (Harris, 2000: 18). With these, people and environment

relationships temporally continue with constant innovation and lessons from errors. Thus, rhythm describes a constant process of making life with success, failure, experience and improvisation.

Lori Allen's (2008) concept of the everyday as getting by also tells survival under domination. He provides emphasis on the political and social significance of the cultural practices of adaptation during violence and Israeli colonialism in Palestine. It involves three aspects. Adaptation or getting used to it, managing to function or getting by, and it can be equally influential to the movement of politics. Despite dangers and obstacles to life, people go to work, get their kids to schools, visit relatives; they ask the rhetorical question, 'Shu bidna nsawy? (what else can we do?)' (Allen, 2008: 459). They try to collect all information regarding occupation, violent attacks, and road closure before they travel. All these interconnected actions create the ordinary nature of making things do under domination. This is a form of individual actions and embodied social practice against violent oppression without massive impact.

The limitation of Allen's (2008) formulation is that it does not address the complexities of 'getting by' and is instead a mono-dimensional framework. His account overlooks the connectivity between survival methods and the interplay between different agencies during encroachment and its consequential impact on the methods of getting by. Like De Certeau (1984) and Bayat (2010), he explains the success of the methods people adopt in their everyday practices. While the weak adopt temporary survival methods, they are still vulnerable to domination and all tactics and everybody are not successful in their quest for getting by. These unsuccessful stories are also part of everyday practices. Therefore, I consider survival and progress under domination is multimodal, temporal and linked with continuous transformation. In this context, the strength of the conceptualisation of rhythm is its emphasis on the trajectory of everyday practices. Therefore, it shows the richness of the temporalities of the tactical changes. While tactics and rhythms belong to different analytical contexts, a combined approach to the enclaves can reveal 'practical livedness' along with their quotidian arrangements, vulnerabilities moving between survival methods, risks and learning. Enclave dwellers move out from enclaves, brave the ever-evolving uncertainty, exploitation and threats. This happens through the production of particular forms of social space where the resilience of one person inspires the other. All these aspects construct the trajectory of everyday practices through politics and shadow of law. Thus, this chapter explores how the enclave residents use the politico-spatial-legality for their everyday survival.

In the enclaves' context, I will show a series of rhythms produced by the enclave dwellers' tactical engagement with the involved states. Following Harris (2000), the rhythms of the survival tactic in the enclaves will be examined from everyday individual daily-cycle and life-cycles such as negotiation with the local politics and corrupt administration; and the temporalities of the rhythm of unity in the Dashiarchora enclave. In addition, the chapter will

show how the enclave dwellers tactically use the geography of the enclaves and international borders for their basic survival or advancement of life. The rhythms of everyday survival tactics in the enclaves, as will be illustrated in the following sections, involve silent tactical use of the weakness of the state system which clearly demonstrates different types of encroachment in both the countries' systems. This also demonstrates multiple agencies' involvement in the whole process such as the encroacher and their contacts in state-system. To understand the complex process of encroachment it is necessary to consider the function of the multiple agencies alongside the dynamics of the power relations between the encroachers and the authority. Encroachment tactics manifestly engage the condition developing the rhythm of everyday success and failure to survive and advancement of life as both Monir and Alok's story tells. In addition, the complex internal bureaucracy of profit making can provide illuminating examples of hierarchy and different types of economic motive as happens through the cross-border broker, wealthy enclave residents, and political elites inside the enclave. As Mittelman & Chin (2000) mentions, infrapolitical resistance do not occur in a vacuum; these activities are the product of interactions between structure and agency.

### **7.3 The Rhythm of Everyday Political Negotiations with the Host Country**

Here, I am exploring everyday tactical negotiations to access the host country's services. These include individual and covert approaches by the enclave residents using whatever opportunities come in front of them to manage easy mobility in the host country, ownership of land, employment, education, enrolment in hospital and so on. Enclave residents' mobility to the host country is obvious and frequent; however the destination varies with necessity and choice. Everyday life in the enclaves needs regular movement across enclave-host country borders. They go to the district headquarters for health, education or business purposes. To beat the status of 'non-eligible' to access any state services, these enclave residents formulate diverse innovative methods, which are generally illegal.

In the context of Bangladeshi enclaves, securing a temporary fake voter ID is the most preferred tactic to ease the mobility barrier in the host country. Generally, enclave residents are apprehensive of travelling a long way from the enclave if they do not have fake national ID card, although some greatly disadvantaged or brave people try their luck to move to other parts of India. Almost thirty percent of the total enclave residents managed this ID in India (Sengupta, 2010; Mandal, 2011). Such arrangements provide a win-win situation for the local political elites and the enclave residents; Korimon bibi's story can elucidate this,

*'I am the only earning member for my two children since my husband's demise. Like everybody else, I wanted to work in Delhi to earn better wage but it is too risky to do that without a voter card. My distant cousin, who is Indian and a Congress activist, managed me a voter card with fake address and fake name. I paid him 4000 Rupees along with the promise to vote for Congress. This voter card is unusable to claim subsidized goods as the authority might catch me but it save me from imprisonment under the foreigner's act. In return, I vote Congress. There is always a risk to be caught as other party activists might inform the election commission. Then, I have nothing left again! However, I am lucky to have a voter card for five years.'*

(Karimon Bibi, female enclave resident, aged 30, interviewed in a Bangladeshi enclave on 01 November 2009).

False identities aid some enclave residents securing employment in other parts of India while they work for local political elite's vote bank. As Karimon mentioned, the ID card temporarily resolves the mobility barrier and uncertainty prevails when local Indians officially complain. Once one door is closed then they knock on other doors; they bribe again for another fake voter ID as Alok Paul's story, at the beginning of this chapter, describes in relation to the tireless efforts obtaining a voter card. Enclave dwellers' mobility is not restricted in Bangladesh, but free state services are linked to national ID cards.

Neighbourhood connections are effective, sometimes, but heavily rely on religious sameness. Generally, Muslims seek support to other Muslim neighbours and so do Hindus. It is relatively easy for the Hindu enclave dwellers, specifically for the upper cast Hindus, in India to manage Indian voter cards while only a few Muslims have that opportunity. Informal group discussions with Muslim and Hindu enclave dwellers in the mixed religion enclaves, Madhdha Mashaldanga, Mashaldanga, Korola and Poaturkuthi, reveal this fact. According to the enclave dwellers, approximately 30 percent of the South Mashaldanga residents are Hindus and a majority of them are upper cast Hindus. Muslim enclave dwellers, during my participant observation on 29 October 2009, complained, '*only ten Muslim families managed voter cards while all Hindus have voter cards.*' The Hindu participants did not deny the claim but added, '*voter cards do not make us Indians. We only have free mobility but cannot claim subsidised goods like the Indians*'. One Muslim participant then said, '*we never get any help from you to secure voter cards*'. The Hindus kept quite. In addition, the Hindu enclave dwellers report to the authority about the Muslims fake ID card. As Monirul Alam (aged 38, participant observation in Poaturuthi enclave on 15 March 2010) mentions that he wanted to get an ID card using his cousin's address. While everything was almost ready, his Hindu enclave neighbour informed the authority about Monirul's enclave identity. Monirul's dream for an ID card remained unsuccessful.

Similarly, the majority of Muslim enclave residents in Bangladesh are in a better situation than the Hindus. The Hindu respondents in the Indian enclaves were complaining that many Hindus moved to India because of their Muslim neighbours' hostile attitude. These hostile attitudes include treating and framing the Hindu enclave dwellers as Indian spy, attacking and robbing the Hindu houses and so on. Willem Van Schendal (2002) defines such religion-based act of kindness in these enclaves as proxy citizenship. In such cases, these religious-minorities develop good ties with the home country's border guards through bribes or religious sameness; such as Hindus with the Indian border guards and Muslims with the Bangladeshi border guards. Thus, people are surviving in one way or another. As De Certeau (1984) mentions, the tactic is all about timely use of opportunity. Amol Paul's, the opening story of this chapter, brother in law's death and Amol's opportunity to become Indian is the best example of the timely use of opportunity.

Enclave residents' economic survival depends on their everyday movement to the host country. The farmers sell their products in the mainland close to the enclaves, poor landless people work as day labourers either close to the enclaves or go as far as to the capitals on either side. Enclave life is consumed with fear but they learn from mistakes and improvise their tactics. As Harris (2000) mentions, rhythm is a continuous process of learning from experiences. There were incidents that mainland people took the crops from the enclave but never paid (field note, poaturkuthi enclave, 28 October 2010). Now, the agricultural products are sold inside the enclaves and they take money first and then allow the crop to be taken to the mainland. Fisherman, Korim Mia, always hires his Indian friend whenever he sells fish in an Indian *haat*. His friend, in fact, acts as a seller and Amol stands beside him. Korim cannot risk being there alone in case Indian gangsters take the whole bucket without paying him. Once everything is sold the proxy seller gets thirty percent of the total profit as he invested his national identity in fish selling.

Some wealthy enclave residents in Bangladesh and India bought land inside the mainland for their children's education and future employment until the national ID card was introduced. The Indian side introduced strict procedures to buy land and citizenship since the late 1980s. Those who moved before that time are Indian citizens now, but constitute less than 20 percent (Kiron Sarkar aged 50, local journalist, interviewed in Cooch Behar on 26 March 2010). People send their cell phone to the mainland to get the battery charged. If anyone does not have friends or family outside the enclave they pay for this. Some enclaves have iron contamination in their drinking water. Participant observation in Poaturkuthi enclave reveals that some people in those enclaves collect better quality drinking water from the mainland at dawn to avoid bitter experiences such as harsh words from the Indians. Occasionally, illicit activities are also a

means of individual economic survival that involve opium plantations, generally 4/5 plants, in the backyard, which can temporarily offer financially improved life. Such plantation is not for commercial purposes. But it helps some landless and very poor enclave residents to feed the families as the house in the below image shows the sign of extreme poverty. Sometimes BSF officials enter into the enclaves to burn all opium plants.

Access to education is also tough for the enclave dwellers and bribery is a useful investment for education; however education does not ensure a job. Absence of schools in most of the enclaves forces the enclave parents to manage a place for their children in the host country. Those who have relatives in India bribe the local Panchayet Pradhan to get an Indian birth certificate. The birth certificate is a prerequisite for an enrolment in an Indian school. Enclave parents use their Indian relative's name and address as official parents in that birth certificate. A grandfather, uncle, cousin or well-wisher neighbour can become an official parent for life. However, those who have no had Indian relatives are deprived of education at the beginning. While enrolment in a school is hard, it is harder to continue study. Sometimes, enclave children are removed from the schools when citizen parents complain or the school's authority realize that the birth certificate is fake (Van Schendel, 2002; Sengupta, 2010). Then, there will be more effort in different schools, more bribes to pay. If everything goes unsuccessfully, the child ends up working with his parents in the agricultural field. Enrolment in a Bangladeshi school is possible without a birth certificate but the enclave children are deprived from the stipend that the Bangladesh Government provides to encourage mass education. However, most of the educated enclave youths find education is unprofitable because of restricted employment opportunity. Every employment in India and Bangladesh is secured after completion of all the security verifications of birthplace and permanent address. Securing a job is almost impossible without any house in the host country and enclave residents are helpless as no tactic is applicable in this regard. The end, the result is the same for all, unless they have money or connections, irrespective of their location in Bangladesh or India.

The survival methods are not discrete actions of enclave dwellers rather they link the complex web of acquaintances and stakeholders in the state machineries. For example, Hasan Alom was enrolled in a school with a fake birth certificate from the local government representative, Panchayet Pradhan, Once he finished school, his Indian school certificate allowed him to apply for a RMP certificate course. With this degree, he is eligible to run a dispensary and can see patients with minor health problems. To establish his dispensary business in India, he bribed all local political musclemen, who then arranged registration for Hasan's dispensary in India. He separately bribed the Panchayet Pradhan to avoid administrative problems and the police to keep his uninterrupted mobility across India-enclave border. Every year, he pays more than

10,000 rupees to networks to run his business. It is a continuous process- if he decides to stop bribing these people; his business in India will end at that moment. Hasan's education and work in India is a part of the corruption network in the local administration. Thus, the existence of enclaves provides financial advantage to many others. Like Hasan, most of the enclave residents find bribing to different people is the only way to make life easier. However, all people are not as lucky as Hasan; some of these acquaintances and stakeholders take money but do not work for the enclave dwellers as happened with Amol in the opening story.

This section shows the rhythm of everyday individual negotiations with the host country through diverse connections, politics and institutional corruptions. It reveals constant individual efforts to access the host country's state services; and demonstrates how they use their cultural identity, kinship and local politics to manage essential survival in the enclaves. The socio-political use of the illegal method contributes to survival strategies. Since all the indispensable methods are fragile, all these survival tactics are temporary and fluid. New crises emerge in the flow of the everyday life, innovative methods work in people's minds to win the predicament. Thus, Now I will move onto the relationships between tactics, geography and legality shaping some enclave residents' life.

#### **7.4 Geographic Factors, Tactics and Legality**

In this section I am focusing on how the geographic location of enclaves and enclave dwellers' property ownership tactically helps them to secure a legal status in the host country or at least some services from the host country illegally. Complicated and differentiated land ownership in two nation-states causes countless problems for many families; however people still explore prospects out of those complications. The enclave-India border separated Bimol Paul's properties into two nation-states once Cooch Behar joined India. Kamol Paul and Notobor Paul, his two sons, received enclave properties and Indian properties respectively while his father died in 1950. Bimol Paul's will decided both the sons' nationality and fate although the difference of this split was inconceivable at that time. Bimol Paul died in a transitional time when Cooch Behar just merged with India. People in the Bangladeshi enclaves did not realize the difficulties of enclave life until the visa and border guarding systems were imposed in 1952. Over time, their prosperity varied because of the land holdings but kinship still exists; Notobor provides electricity support to his brother Kamol through a tiny electric wire (fig 7.1). They are vigilant of the authority's actions in the neighbourhood and temporarily remove the connection if there is a chance to be caught. Such arrangement is rare in the enclaves' however there are other forms of cooperation between friends, relatives and well-wishers.



**Fig 7.1: Familial connection and encroachment to host country's electricity facility.**

Similar to Bimol Paul's situation, some other people found their house is in the enclave but their agricultural land is located in the host country. The location of the house determines people's citizenship in both India and Bangladesh; therefore these people are considered as enclave dwellers in the host country. In these circumstances, people not only drag their original house to the agricultural land but also their citizenship. The owner of this property informed me that shifting a few yards of his house provided him complete citizenship in India during 1980s after twenty years. It is similar situation in Dashiarchora in Bangladesh where many people moved to their possessions to the mainland. These are examples of the fluidity of citizenship when people can choose the host country's citizenship because of their strategic land-holdings; however Ali's story presented in Chapter 4 explains that this method does not always bring success as Bangladeshi border guards foiled his attempts to build a house in Bangladesh territory.



**Fig 7.2: Border marker showing enclave-India boundary (top); border pillar and newly built house less than a foot distance from the pillar to India to get Indian citizenship (middle); people are sitting on the old location of house which was inside the enclave and the new house (bottom).**

In a different example, Sam Poran covered the border pillar with the bamboo fences of his property's boundary. He did not worry to build a house in-between two countries territories and declared, '*no border between my inherited property*' (Sam Poran, aged 38, field note, 12 October, 2009). Literally, one of his rooms sits on the fault line of the mainland and the enclave (fig 7.3); and his tube well pumps Indian ground water for Bangladeshi household work (fig 7.3). He keeps the border pillar inside his house without any official predicament. His parents managed to get Indian ration cards for the whole family in early 1980s, which provided the power to keep the border pillar as interior artifact or private property.



**Fig: 7.4: Border pillar inside fenced boundary of a house (top left); border pillar (top right); both the man standing on both sides of the border. The tube well falls in Indian side and the house is in the enclave (bottom).**

The geographic location of an enclave close to the India-Bangladesh border brings a tough life because of the border guards' scrutiny. BSF indiscriminately enter inside the enclave sometimes enter into houses; for example an anonymous respondent mentions his experiences in Korola enclave, 'my house is two hundred yards away from the border fence. The BSF does not bother whether it is a day or night, they even enter into our houses and search for smuggled items, sometimes beat us unnecessarily' (aged 23, field note, 11 October, 2009). Most of the bordering enclave residents provide free labour, bamboo, chicken, eggs and so on to the border guard's camp to have easy mobility in the evening and especially during the time of gun battles between two border guards. Gun battles between the two border guards are frequent and can occur any segment of the border. Generally, gun battles occur when the border guards trespass into the neighbouring territory either by accident or in hot pursuit of smugglers or dispute over smuggling deals, or intent on committing rape (Van Schendel, 2005: 309; also see Jones, 2012).

Such escalations of violence affect the whole borderland including the enclaves. Specifically, the enclave dwellers' mobility becomes restricted in such circumstances.

People generally come home before dusk as BSF soldiers check every person walking or cycling back to home at night; and it is mandatory for the borderlanders to keep an ID card always with them. Besides, every bicycle and motorcycle owner needs to show the registration of ownership to the BSF in the borderland as part of the security measures to stop smuggling. To buy a bicycle or motorcycle or cow, every Indian needs authorization from the local Panchayat Pradhan (for detail about the 'roles of Panchayat' see Datta & Datta, 1995; Gazdar & Sengupta, 1997). None of the enclave residents is eligible for such authorization but they use an Indian friend's name and address in the registration card. If the BSF chase them, they mention it is their brother's vehicle and send the official owner to collect the bike from the BSF showing the registration card. Alternatively, some enclave residents buy second-hand cycles to avoid registration matters. All these are the wide-ranging measures people take to make life workable in the enclaves. This section shows how the geographic location of an enclave changes the pattern of vulnerability resulting in different innovative tactics to emerge. Tactics change with place, time and other factors. Some lucky enclave residents managed to resolve their non-citizenship problem permanently because of their strategic land holdings, however some others failed. Thus, it reiterates similar tactics cannot assure success in all enclaves.

## **7.5 The Rhythm of Mobility and Advancement across the Indo-Bangladesh Border**

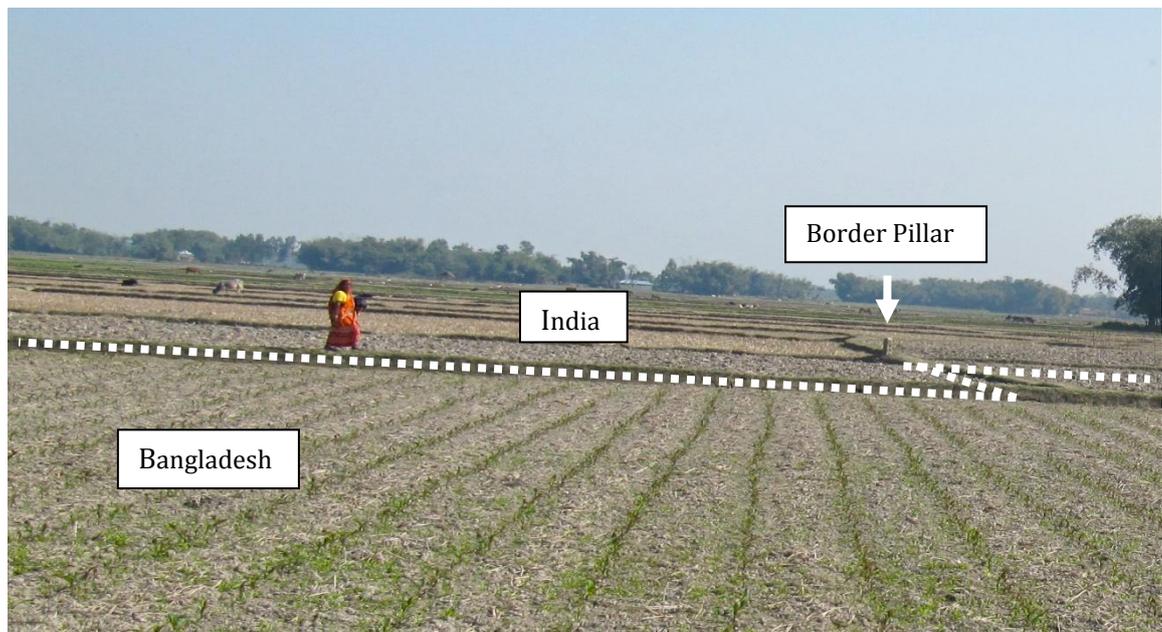
This section illustrates temporary and permanent mobility across the India-Bangladesh border and advancement of life. I consider the above described methods are necessities for the survival of life while cross-border mobility is generally for the purpose of economic and cultural advancement.

### ***7.5.1 Temporary Movement***

The short-term movement across the international border involves working in the host country, land registration and visiting relatives. A few enclave elites also have good connections with the local Indian journalists, local political elites and border guards. They sell their 'India link' to other ordinary enclave residents who desperately need to register their land. These enclave elites are allowed to cross the fenced border gate while many other ordinary enclave residents cannot. A similar business-like situation exists on the Indian side. A few enclave dwellers who managed Indian voter cards and have good connections with the Bangladeshi land registration office do the necessary works for land registration on behalf of the landowner. Necessary works involve

bribing land registration office employee, managing a fake buyer on the name of original buyer. They hand over their voter card to the Indian border guard, cross the fenced gate as if visiting a relative who lives in a village cut off by the border fence. They know when the Bangladeshi border guard patrol the border and cross the border accordingly. Such frequent movements of a few people indicate a porous border depending on the border guards' choices; however such movement is tough for the ordinary enclave dwellers. These ordinary enclave dwellers either provide 'free labour' at the camp or temporarily manage some form of card for some days. When this card is invalid, they hire border brokers to cross the border as did Monir Mittir, the opening story of this chapter, and risk their life. While land registration is necessary for survival, the agents of land registration gain financially through these host country connections.

The closeness of an Indian enclave to the border often provides opportunities to choose work on either side of the border. Sometimes, enclave residents find that the home country's fellow citizens are much friendlier than the host country's people and cross the international border very often. Mahima, Lotamari enclave resident, is one of those enclave dwellers who believe Indians are sympathetic to the Indian enclave residents. Mahima has disputes over property ownership with another enclave resident. As that enclave resident is relatively wealthy he could buy some Bangladeshi voices such as local political leaders, elected local government representative. The Bangladeshi representatives' verdict was in favour of Mahima's opponent. When Mahima disobeyed the verdict, a Bangladeshi gang attacked her house. Mahima and her family escaped to the nearby Indian village cut off by the border fence. They sheltered her for two weeks. Now Mahima works in that village and she knows that the BSF visit the zero line twice and the BDR once a day. Therefore, cross border mobility practices do not only provide economic benefit for an individual enclave resident but also generate informal economic agency. Some other enclave residents of this enclave also work in this village.



**Fig: 7.4: Mahima's every day movement across the India-Bangladesh border. The image is taken from the edge of Lotamari enclave and the dotted line shows the India-Bangladesh border.**

For economic advancement, some Indian enclave dwellers cross the fenced international border to work in Delhi. Delhi motivates some Indian enclave dwellers obtain temporary ID using different connections (fig 7.5). They obtain these cards from the Indian Panchayet Pradhans either by providing a bribe or by free labour in the BSF camps. According to some cardholders, these IDs are only acceptable to the BSF guard who was either involved in issuing those cards by the Panchayet or 'very kind' to the enclave residents. Every border guard moves from one segment of border to another every three months, therefore those cards become obsolete very soon. I consider these movements as the advancement of life rather than a desperate form of survival. We can consider Akbar Mia's (aged 55, interviewed on 19 February 2010) story as an example. He is a resident of Dashiarchora enclave in Bangladesh and went to Delhi in 2003 for work. His formal outfit and confident approach helped him to work as a broker closely linked with the Indian passport office. He managed Indian passports for illegal Bangladeshis in Delhi for two years but did not worry to get one of his own as he belongs to the group who consider '*Hindustan (India) is for the Hindus and Bangla (Bangladesh) is for the Muslims*'. Akbar came back home with a good amount of money and no one raised concern about his illegal stay and work without any ID card. The outfit and confidence compensated for his non-citizenship status.

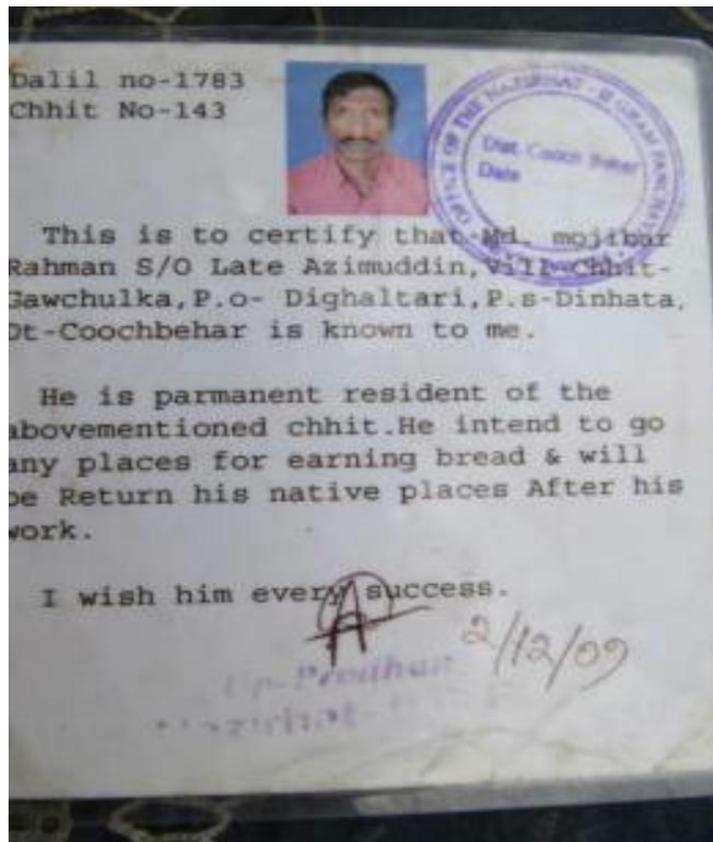
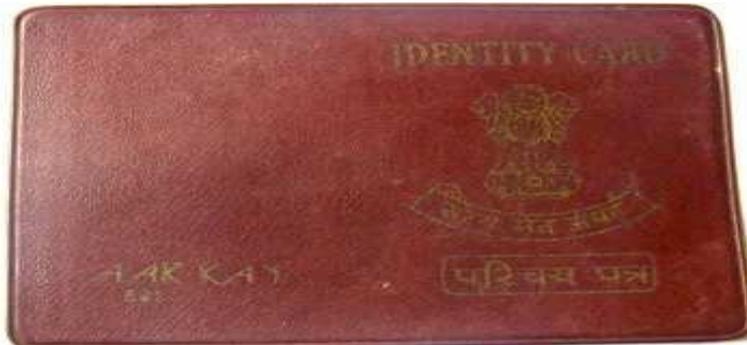


Fig 7.5: Different types of ID cards that the Indian enclave residents managed over time.

### ***7.5.2 Permanent Movement***

Permanent movement across the India-Bangladesh border mostly occurred after Cooch Behar's merger with India in 1949. Soon after partition, Hindus from the Northern part of Bangladesh moved to Cooch Behar exchanging land with Indian Muslims. Therefore, almost 80% of enclave residents in Bangladesh side are originally from Cooch Behar. The second wave of movement occurred after the independence war of Bangladesh in 1971 and scattered movements are occurring till to date. Some people moved several times. For example, Abdul Aziz's (Dashirchora resident) grandfather was originally a resident of Tangail, Bangladesh who moved to Cooch Behar after partition but his father came back to Dashirchora during the 1965 India-Pakistan War. Hence, desire for citizenship and the feeling of nationality is not fixed and it is not also very tough to switch over in some cases. These scattered movements still occur through the connections of religion and relatives with the hope of enhanced prospect. Bishshwar Bormon from 115-Bashkata enclave had a very good connection with the BSF and local Indian administration and vigorously demanded Indian facility inside the enclave. He was considered a BSF informant in Bangladesh and a criminal case was filed against him (Bishshwar Bormon, aged 45, interviewed in Cooch Behar on 15 March 2010). Then he moved to India in 2008 and the government allotted him a house with refugee status, and now he runs a pharmacy there. Bishshwar Bormon is one of the very few lucky enclave residents who managed a house allotment in India.

Cultural factors work to influence the permanent movement between mainland and enclave. Bakalirchora enclave experienced a mass exchange of land with the minority-scheduled caste Hindus and indigenous group 'Orao' from the northern part of Bangladeshi mainland with the Muslims in the enclave in 1987. However, five Muslim families in that enclave failed to tag themselves in this exchange procedure because they are the landless people and did not have any land to exchange. These Hindu minority groups and the 'Orao' people used to live in the same village in Bangladesh and it was a collective migration of the whole village. They moved out from Bangladesh only because of the wedding dilemma. Because of their small numbers, sometimes, they had to marry relatives; however, they have the same indigenous group in the Indian side of north Bengal. Legally, it was an official exchange of land between two Bangladeshi groups authorised by the sub-registry office (Land Exchange Agreement, 1987). This amazing land exchange occurred at night to avoid border guards' scrutiny and they took shelter in each other's house with the hope of a better prospect. It is an internal migration but involves international border crossing and no official arrangement was done to decide the method of exchange. This whole matter definitely advanced the migrated Muslim peoples' life as they could upgrade their status from everyday non-citizenship to citizenship. On the contrary, the 'Orao' people were downgraded from Bangladeshi citizens to the Bangladeshi enclave dwellers. On a daily basis, they are now living in a non-citizenship status like other enclave

dwellers in India and Bangladesh. In addition, their desire to eliminate minority status was unsuccessful in practical sense as their mobility is restricted in India. Like other Indians, the Indian 'Orao' people are not interested to establish marital relationship with the enclave 'Orao' considering the disadvantaged life in the enclave. The respondents in Bakalirchora mentions, *'we never knew the word chhit (enclave) until we came here. But the Indian Orao community knows that an enclave is nothing but a hell. Why should they marry us?'* (field note, 17 October 2009). Therefore, not all efforts to advance life are successful in the enclaves.

This section illustrates some enclave dwellers prosaic practices of diverse mobility across the India-Bangladesh border for their desired advancement of life. It develops a picture of how the border is practised in the rhythm of enclave life. It involves the individual life cycle, daily cycle as well as collective life cycle (enclave 'Orao' community). An enclave dweller is not only a victim of the international border and border securitisation procedures; they invent their own methods to counter those obstacles. In both the contexts, border guards play a conflicting role as an agent; and they decide different types of exceptions. The examples presented in this section are very diverse, mostly individual, temporary and permanent actions either for survival or for advancement of life. All these actions have certain legal and illegal aspects such as Indian enclave residents working in India is legal while the methods of border crossing are illegal. However, I believe the permanent movements across the border do not rank as tactics. Tactics bring temporary solutions to the weak or marginal people (De Certeau, 1980). Here, the limitation lies to conceptualise the 'Orao' movement or Bishshwar Bormon's permanent settlement in India.

## **7.6 The Rhythm of Everyday Unity: Construction of Self-governing Enclave**

Although individual efforts are the common means of survival in the enclaves, Dashiarchora provides a different pattern. It is a unique example of community cohesion and construction of the 'autonomous enclave' along with its own constitution, administration, security forces and judiciary system to run the enclave territory. This enclave is not unique only for its self-governance; it has good connections with both the involved states; and is also known for illicit economic activities. Historically, Dashiarchora had a Hindu majority. However, immediately after Cooch Behar's merger with India, Muslims in Cooch Behar and Hindus of this enclave exchanged their properties and took shelter in each other's house with the hope of a better future in a country where they belong to majority. Soon after Muslims arrived here, they found themselves in a difficult situation. In Nawsher Munshi's word,

*"This place was like a hell when we first came from Cooch Behar in 1958. We found ourselves surrounded by most wanted Pakistani criminals', scrutinized by the Pakistani border guards and victimized of burglary. The robbers not only targeted all the valuable items but*

*also took our ordinary clothes, shoes and so on. Then, we began to guard our territory every night; each and every man worked by rotation along with bow and arrow. The success of the nighttime vigilance inspired us to think about self-governance and establishment of our own state-like territory. However, burglary and robbery were still unbearable even after Bangladesh's independence. One night, few enclave residents' killed a robber and hung him in a tree as an example of the obvious fate of robbery inside this country! Bangladeshi police came to find the killer but we never mentioned those people's name. Then they charged fine and everyone in this enclave contributed to pay the fine. The robbers learned a lesson and did not dare to rob us again.'*

(Nawsher Munshi, Male enclave resident, aged 75, interviewed 15 February 2010).

Nawsher Munshi's experience in this enclave demonstrates the ancient way of community formation and unity in need. They not only fought with robbers but also stood strong in front of the then Pakistani/Bangladeshi administration. These people closely controlled themselves to run the enclave territory as a state does. Almost every enclave resident considers this initiative was the best for them. Hariharn Mondol (aged 70, field note, 10 February 2010) says, '*every place needs a rule of law, and otherwise it will be pandemonium*'. When their home country kept them outside the modern state system it was the people who decided to establish the rule of law; thus it is a good example of the establishment of authority or governance from the bottom.

Within community literatures, there are competing arguments on what the driving force for community is. Different studies focus on basic disagreements on three particular areas. These include community as a geographical area or as group of people in a particular place or as an area of common life (Delanty, 2003; Tonnies, 1887; Keller, 2003). Besides, Tonnies' (1887) theory of community considers perfect unity of human wills is the basic foundation for community and he defines kinship, neighbourhood and friendship as three central aspect of community. Keller (2003) considers community as a union of many elements but views territorial community as an anchor of human existence and territorial connotation and as the most fundamental for community formation. In this case, a bounded site of territory is one of the essentials for community formation, which generates a 'collective identity, a sense of closure, and safety' (Keller, 2003: 267). In the context of Dashiarchora, the driving force is the necessity of survival, which can be considered, as the common will as Tonnies (1887) mentioned long ago. It signifies a kind of close-knit territorially bounded community, which involves kinship and social interaction within the locality. The point to emphasise here is that place structures social relations within the enclaves just as the social (and economic) relations determine the parameters of choice in relation to place.

The gradual shift towards an autonomous enclave through the practice of democracy is quite innovative. During the late 1980s they moved for an elected chairman than a selected one. The

enclave community established their own population census and defined the number of voters and went for a free and fair election to elect a leader and members of the council (Masiur Ali, Election Commissioner Dashiarchora, aged 29, field note, 06 April 2010). This procedure is gender biased as female voters are abandoned from the voting rights because of their less efficient security net during the election (Ali, 2009). Interestingly, democracy was practised in this abandoned space years before their host country, Bangladesh, achieved democracy. Over time, they picked the interim government concept used in Bangladesh. An enclave president and twelve-member ministerial council run the enclave state every five years. Once the government is at the end of its tenure, it hands over power to the selected mosque clerics who work as interim government, run the election and hand over power to the next elected chairman. The chairman is the head of the security forces (120 members) and judiciary mechanisms of the enclave. So far, the court punished people for killing, robbery, and internal conflicts over property and other social disputes. They have a detention camp but no prison; hence, punishment is generally in the form of financial punishment.

Running self-governance in an enclave is challenging. This invites conflict with local Bangladeshi power dynamics and occasional clashes with the BDR. Sometimes, internal disputes over property ownership challenge the power and verdict of the enclave council as the loser tries involving Bangladeshi people. Additionally, Bangladeshi political elites every time try to interfere in the enclave matters for their financial benefits. During the tenure of the second elected chairman, Bangladeshi police along with political leaders tried to meddle in the internal disputes. A death threat to the chairman strongly united the whole enclave community. Failing to get any support from Indian and Bangladeshi administrations, they stood together and declared that all Bangladeshi people's land inside the enclave will be vested by the enclave council and article 81 of the constitution will be implemented for the enclave residents who sought Bangladeshi help.<sup>9</sup> Such do or die decisions during the early 1990s mark an example of the strength of community and strong determination. In the second Chairman's words, '*that was the best decision so far and such strong and brave unity allowed us to stay in peace for many years*' (Hossain Chairman, aged 61, interviewed on 11 April 2010). They also resisted the BDR entrance into the enclave without permission of the enclave council chairman. Once two BDR soldiers entered inside enclave and tried catch enclave resident as smuggler but could not stand in front of huge encounter and lost his rifle in the mob. Besides the strong unity and brave resistance to some external invasions, this enclave is the transit or home for many illicit activities. The drugs come from India, are kept inside the enclave and then distributed to

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<sup>9</sup> Article 81 of the Dashiarchora Constitution says, 'if any enclave resident outsider on internal dispute without the permission of the Council or any enclave resident make any anti-state comment he will face the maximum punishment'.

different parts of Bangladesh. Since this business involves cross-border gangs, nobody in the enclave dared to encounter this.

Although administratively autonomous, economically this enclave is integrated with both India and Bangladesh. Everyday economic activities in the enclave are mostly connected with the host country; however the desire for economic advancement links them with the home country. They buy and sell agro products in the nearby Bangladeshi market. At times, they could compare prices in Indian side as some Indian border guards irregularly allowed them to visit India. For the last few years such movement is very limited, as BSF are not keen to count this Card anymore. Wages in the construction sites in Delhi and other rising cities in India are higher than the wage in Bangladesh; and the Indian currency is stronger than Bangladesh. Therefore, many enclave residents, especially the male residents, move to the home country for a better financial future. Working in Delhi involves a series of legal and illegal measures. It is illegal because of the method of crossing the border but it is not illegal for Indian residents to work in India. An illicit economy has flourished by the cross-border brokers who take the responsibility to cross the border, transport and work in Delhi. Bikrom Singh who just came home to see his parents in the enclave explained his story,

*'I paid 4000 BD taka to the broker in Bangladesh side. He managed the BDR and his counterpart bribed a BSF man on duty. We crossed the barbed wire fence and Indian broker took ten of us to a nearby house. We stayed there for two days and more fifteen people came by then. They hired a bus to Delhi, which dropped us to our workplace. Illegal Bangladeshis wage is lower than the Indians but we get the same wage as Indians and we don't have fear to be jailed under foreigner's act since we have our land documents. This encouraged more enclave residents to work in Delhi.'*

(Bikrom Singh, aged 19, interviewed on February, 18, 2010).

Bikrom Ali's border crossing and employment opportunity tells of a strong network of cross-border business involving border guards, brokers and employers in Delhi. The story also maps onto the transitory emergency citizenship described in chapter 4 (section 4.5). In that section, I have shown that the enclave residents occasionally have a particular element or right of citizenship. Dashiarchora residents cannot have citizenship rights with their land documents but this land record can provide them a kind of legitimacy to work in the home country. Because of this legal advantage, a good number of Dashiarchora residents work in Delhi which let a phone call business grow and survive in the enclave (fig 7.6). There is a growing demand to stay in touch with the family in Dashiarchora and also to inform others if anyone is caught as illegal immigrant. A pharmacy introduced this side business and the banner demonstrates a variety of options to get connected with neighbours' and relatives over the phone. This shop is close to the border and the owner has an Indian sim card; therefore every call to Delhi is local. Such connections not only help to know the whereabouts of the relatives and friends; it provides

guides for others to think about making money. The success of the election depends on the promise to make better connections with India at least for the land registration purpose. Sometimes, enclave residents are caught as illegal immigrants, but are released soon following negotiations between the enclave council and solicitor and local Indian Panchayat. This connection is another crucial issue during the enclave council election. The temporal rhythm of unity in Dashiachora provides an interesting insight into the everyday social relations in a zone of abandonment.



150-Enclave Dashiarchora

**Delhi to Dashiarchora**

To make a call - 06 BD Taka/Minute

To receive a call- 01 BD Taka/Minute

**Call from Mobile to Mobile - 02 BD Taka/Minute**

**Innama Pharmacy Proprietor: Dr. MD. Imdadul Haque**

01727561479/01937853169/09647726042

Rashmela Bazaar, Azizar Rahman Tankar Moor, Dashiarchora, Dinhata,

**Fig 7.6: Phone call shop’s banner in the middle of Dashiarchora. The original banner (top); translated banner (bottom)**

The rhythms of everyday unity and functionality of Dashiarchora help to develop the temporal understanding of place making - from a disordered place to the self-governing enclave. In addition to the rhythm of the enclave community, there are examples of placement and displacement of self. As this section shows individual rhythms of mobilities with the examples of cross-border employment and phone call business.

## 7.7 Conclusion

Using two conceptual approaches - temporal rhythm (Harris, 2000) and tactic (De Certeau, 1984), I have articulated temporalities of everyday social relations in the enclaves, enclave dwellers' mobility across the border, and legal and illegal engagement with the concerned states. I have explored the rhythm of everyday life when people use diverse tactics for the basic survival and advancement throughout their life cycle. Rather than only looking at what they do for survival, I have focused on the temporalities of their rhythmic structure of social activities and politics of survival including *what* they do and *how* do they try to survive and *what* are the impacts of such methods in their life. This helped to reveal the everyday trajectory of enclave life, including a diversity of survival tactics, adaptation, and unity in need, and the uncertainty and vulnerability of enclave life. While the aim is to explore how the enclave dwellers respond to their non-citizenship, an approach based on a framework of either encroachment (Bayat, 2010) or getting by (Allen, 2008) or tactics (De Certeau, 1984) could only bring one aspect of their life leaving other diverse actions unexplored. Therefore, I argue, the rhythms of everyday survival tactics show a holistic approach to understand everyday survival in a zone of abandonment concentrating on the temporalities of the enclave dwellers everyday cycle of mundane life.

The force of necessity drives survival under domination and the necessity entails different methods in which geography has a key role. For these enclaves, it is their special setting that determines the type of tactical use ranging from citizenship change to community formation, employment and so on. All the empirical evidence suggests that many enclave residents are ultra-mobile for economic reasons and territorial because of their place-based identity. The movement across the border section signifies that these movements are not a local matter; it is regional and connects the entire territory of the both states. It demonstrates borderless encroachment while the encroachers can manage to cross the international border.

All the examples in this chapter map onto the previous empirical chapters. It links the practice of legal norms with non-citizenship, border security and bare life in a complicated manner. The concerned states strictly restricted any legal status to the enclave residents in the host country. In contrast, the state agencies and border guards' illicit profit making, and at times inefficient functioning, work as agencies to the enclave dwellers survival measures. In both ways, these are examples of ambiguities and functionalities of border security measures as well as state sovereignty practices. The legal and illegal roles of the state agencies construct vulnerability and precarious life in the enclaves. As Jones (2012: 02) puts it, sovereign power in the borderland is 'multifaceted, partial and conflicted'. I will develop this point further in the next chapter while summarising the whole thesis.

## Conclusion and Summary of the Thesis

How do politico-spatial-legal factors shape citizenship in the enclaves?

What role(s) do boundaries perform in everyday life in the enclaves?

What are the (il)legal-political vulnerabilities present in the enclaves?

What is the (il)legal survival methods adopted by the enclave residents?

By investigating an everyday geography of the politico-spatial-legality in Indian and Bangladeshi enclaves, the aim of this thesis was to understand *how* the long existence of these enclaves shapes their residents' everyday lives. To achieve this aim, the aforementioned research questions were employed. All these research questions examined the essential connections and barriers that the enclaves' residents' experience in their day-to-day interactions with the host and the home countries. Theoretically, all these negotiations, contradictions, vulnerabilities or survival methods explained how crucially everyday life is trapped in politico-spatial-legality (PSL). In this context, the PSL interactions are drawn from the interplay between the host country, enclave and the home country. All the empirical chapters reveal the complexities, ambiguities and paradoxes in relation to the PSL's multiple interactions. It is evident, considering all the empirical examples presented in this thesis, that these enclaves are excluded from the legal territorial sovereignty of the home country constituting a '*law free zone*'. And, the enclave dwellers live in terrible inhumane conditions as neither citizens nor refugees nor prisoners. They are the non-status people who are practically abandoned from a nation-state; in this context, the state can be seen as a 'dissubjectification machine' (Agamben, 2005: 116). The thesis also investigated how enclave dwellers cope with such circumstances and survive and advance their life using the fissures, gaps and legal loopholes of the state-system.

Now, I revisit the research questions briefly. The first research question looked into the political processes and practices, spatial setting and the law's role in the enclave residents' citizenship rights. To answer this question, chapter 4, titled 'From Citizenship to Abandonment: The Politics-Space-Law Nexus', explored the lived experiences of (non)citizenship in the enclaves' spaces considering their spatial setting/trans-territorial location. The actuality of citizenship in the enclaves is analysed with the written rights of the individuals in India and Bangladesh and

how those rights were violated by other sets of legal norms. It shows that enclave residents' citizenry was enacted like many other Indian or Bangladeshi citizens disregarding these enclaves' trans-territorial reality. It identifies how neither country actualised enclave residents' citizenship through the ambiguous (il)legal exclusion of the legal rights of citizenship. The enclave dwellers do not live in the 'citizenship gap', the difference between rights and benefits of citizenship, (*see* Brysk & Shafir, 2004), rather they live in non-citizenship circumstances. Chapter 4 also reveals that while the enclave dwellers' citizenship rights generally abandoned by the home state, there existed a temporary form of emergency citizenship that was mostly dependent on bilateral political relations. For example, Mashaldanga residents achieved a short lived political right to vote and participate in the local election in the home country of Bangladesh; or Ali Akbar achieved a recognition from the home country, India, that the host country, Bangladesh, could not continue a homicide investigation against Indian enclave resident, as happened with (*see* section 4.5). I consider these are examples of transient emergency citizenship that confirm moments of certain element of citizenship. In addition, there are examples of citizenship aspirations in the enclaves with the acts of rallying, hunger strikes and so on for an early exchange of the enclaves.

The second research question sought to understand the enclave-host country interactions through the lens of the border. Chapter 5, 'The Where of Border: Meanings of Border in Everyday Life: Enforcement and Encounter', examined the second research question in relation to the enclave-host country interactions. This chapter dealt with the spatial and aspatial borders roles in enclave residents' every life. It shows how the political border not only creates the legal construction of citizen and alien but also constructs borders in everyday social relations. This chapter illustrated the different geographies of the boundary's roles in filtering enclave residents' as foreigner and then abandoning them from host country's services. The issue of borders also appeared in chapter 4 as a barrier to continuing the enclave-home country interaction. While chapter 4 focused on the enclave-home country's legal tie through citizenship, chapter 5 highlighted the enclave-host country's actions through lenses of a whole set of boundaries, power and agencies.

Chapter 6, 'Abandonment and Construction of Bare Life in the Enclaves', looked at the vulnerability and despondency experienced in the enclaves because of the non-citizenship and strict border policy to answer the third research question. This chapter showed the methods constructing enclave spaces as the 'spaces of exception' by the both concerned states' politico-legal institutions. Using the Agambenian (1998, 2005) concept of sovereign power and bare life, this chapter showed that state-sponsored legal violence and the local exploitation and gendered violence constructed enclave residents' body as bare life. This chapter argued that different forms of bare life are constituted in the enclaves' spaces of exception with the examples of politico-judicial, social and gendered construction of bare life. Chapter 6 flagged up that every

life in the enclaves is exposed to bare life but not all experience such limit circumstances. The natural human instinct to explore every survival and improvement of life is visible in the enclaves. This was the focus of the last research question and chapter 7 aimed to answer this. There are innovative methods or tactics (De Certeau, 1984) to adapt and advance enclave life, the focus of chapter 7 entitled 'The Rhythms of Everyday Survival: The Art of Living in the Enclaves'. This chapter accumulates a set of diverse survival tactics either by individual actions or the community acts and highlights advancement initiatives; such as individual tactics to get access to the host country's health, education and other systems, or community acts in Dashiarchora enclave to form an autonomous enclave. These individual or collective actions of everyday survival in the enclaves provide an understanding of the rhythms of enclave life which are important to have a deeper understanding of the survival methods and their successes, disappointments and innovative methods to cope with life in a zone of abandonment. This chapter summarises the thesis, highlighted the research questions, illustrated the research implications, distinguished limitations in this study and indicated future research opportunities on the enclaves in the sub discipline of political geography.

## **8.1 Research Findings**

### ***8.1.1 Transient Emergency Citizenship and Citizenship Aspirations in a Zone of Abandonment***

Any individual's legal identity of citizenship in a polity is juridically codified by the nation-state and citizenship is based on a territorial framework (Brubaker, 1992; Painter & Philo, 1995; Delanty, 1997; Ong, 2006). In a situation of territorially fragmented nation-state, both India and Bangladesh, as a home country, generally ignore the legal connections they have with the enclaves. Drawing on the literatures of citizenship and Agamben's (1998) conceptualisation of abandonment, chapter 4 examined the enclave-home country interactions. This chapter demonstrated that people's rights, obligations and identity as citizens are generally abandoned by both the concerned states. It reveals that the enclave dwellers' citizenship is abandoned and they live in a non-citizenship status. This chapter showed that the existence of international border works as a barrier to their day-to-day citizenship experiences. The borders not only contributed to constituting (non)citizenship for the enclave residents but also pointed out the role of a host country's surveillance and border management to further complicate and downgrades the embodiment of citizenship. In many instances, the emergency needs and vulnerability of enclave dwellers in the host country are ignored by the home country; for example, the enclave dwellers are caught as illegal immigrants in the host country and never receive any support from the home state (*see* chapter 6, section 6.4). In everyday practice, the political, spatial and legal identity of citizenship is compromised by other politico-spatial-legal factors.

However, there are occasional moments when some forms of state-citizen relation exist for some enclave dwellers. State politics and its impact on the border constructed the temporalities of transient emergency citizenship for some people. Depending on the involved states' bilateral relations, international borders either obstruct or facilitate citizenship for some enclave dwellers, as I have shown in the case of the Mashaldanga enclave (*see* chapter 4, section 4.5). There are examples of transient emergency citizenship when enclave dwellers are caught as an illegal immigrant in the home country as happened for some Dashiarchora enclave dwellers illustrated in chapter 7 (section 7.6). However, this form of citizenship is not straightforward. The Dasharchora enclave dwellers had to prove their Indian enclave dweller's identity in court to be free from the charge of illegal Bangladeshi immigration. In another case, Akbar Ali needed to establish connections and media attractions in India to escape from a homicide investigation in Bangladesh (*see* chapter 4, section 4.5). In addition to these experiences of non-citizenship and temporary forms of certain aspects of citizenship, the enclave residents are becoming political and aspiring to the host country's citizenship—what Isin (2008) defines as the acts of citizenship. The enclave residents are now vocalising their citizenship demand in the host country by raising the host country's flag, rallying in the host country's streets and undertaking a hunger strike for an early exchange of the enclaves (*see* chapter 4, section 4.6). As Nyers (2008: 185) mentions for the non-status migrants in the US, 'one does not have to be a formal citizen in order to be heard and seen in a political sense. Those who are denied the status of citizen can break into the "consensual" system, interrupt this order, and assert themselves as a visible and speaking being'. It is not evident whether the enclave residents demands have been heard but certainly they are seen in a political sense but usually without any significant consequences. The existence of abandonment, temporary form of citizenship and acts of citizenship in the enclave's spaces bring a complex picture of ground reality.

The examples of everyday abandonment, temporary form of citizenship and citizenship aspirations also reveal *how* the home country legally included the enclaves' residents as its citizens but excluded them from any citizenship rights. It problematizes the assumed symmetry between citizenship and the territory of the nation-state. Instead of a straightforward relationship between citizenship and territory, we find a highly complex one in the enclaves that is rife with paradoxes. The non-citizenship experiences in these enclaves challenges the usefulness of citizenship as an universal framework of analysis for the people who are ranked as citizen but never have it. The general experiences of non-citizenship in the enclave suggest citizenship, as a framework of analysis, is ineffective to reflect some people's lived experiences of abandonment. In this context, engaging with Agamben's (1998) conceptualisation of abandonment alongside the citizenship debates is useful to understand everyday life in those places. For the enclaves abandonment and citizenship are connected by the PSL reality. A combination of the reverse conceptualisation such as citizenship and abandonment not only allowed for these dimensions

of lived experiences of non-citizenship, transient emergency citizenship and citizenship aspirations to be addressed and explored, it also focused on the temporal aspect of citizenship implicated in politics.

### **8.1.2 Borders: Everywhere and Nowhere**

The border is faced and negotiated in a myriad of ways in the enclaves was articulated not only in chapter 5 but also linked to all the empirical chapters. The India-Bangladesh border not only obstructed enclave dwellers' citizenship rights from the home country, the border appeared as a strict barrier to basic survival in the enclaves. This chapter explored the meaning, function and process of the boundary in the mundane activities of the host country and enclave residents in the light of the border as a social construction (*see* Passi, 1995, 1996; Newman & Paasi, 1998) and performativity of the border (Salter, 2008). The chapter shows the border is performed through power both legally and illegally. In the context of the enclave residents', the border is performed *everywhere* in the host country's territory and the performativity of the border is carried on the enclave residents' bodies. For example, I have shown that religion and language work in a complex way when a border guard decides whether a person should be allowed to cross the border (*see* chapter 5; section 5.3). Overall, a very influential role of religion is evident in the process of border and bordering. This is not only part of the social construction of the border but also part of the border agents' decisions on individual border crossers' religious identity. The social border also reveals the everyday impact of religion-driven partition and the everyday construction of 'otherness'. Thus, the body is the site for border materiality and the legal execution of border sometimes depend on the enclave residents' and border agents' cultural orientation. Besides these mundane practices of enforcing or defying the borders for diverse reasons, the time border brought interesting insights of everyday life tied up with time in the Dahagram and Angorpota enclaves; thus both the enclaves are examples of 'temporalised space' (Lefebvre, 1996: 230). In this context, everyday life is not only linked with local time but also to border opening and closing times and every movement follows the calendar of the movements of the border daily.

Chapters 4 and 5 mapped the 'spatial-legal' aspect with the key legal-political right of individual i.e. citizenship; and key legal-spatial reality i.e. border. Both these chapters showed that a combined impact of home country's abandonment and host country's strict border surveillance construct vulnerability and unsecured life in the enclaves' spaces. In this context, the roles of border agents are crucial as revealed specifically in chapters 5, 6 and 7. Border guards also create a state of exception in their performance to control entry/exit of the enclave residents. Here the state of exception does indicate, in Agamben's (1998) terms, a situation beyond the rules. For example, the border decides to shoot the border crossers, judge the cultural background of the border crosser and take his decision on the basis of sameness,

illegally make financial benefits because of the existence of the enclaves and sometimes allow the enclave residents to cross the border on the basis of sympathy. A combination of these actions constructs a form of exception. All these roles of the border performed by border guards construct a chaotic geography of the border. The border guards' varied (il)legal actions materially enact the border as they differently interpret and perform the boundary in the everyday.

On the other hand, enclave residents' everyday movement across the India-Bangladesh border and survival/advancement measures, bring multiple forms of border crossings and their reasons (*see* chapter 7, section 7.5). It reveals the desperate need (for example Monir Mitti's story on page 141) to cross the border on the one hand, and the advancement of life in economic or in cultural terms on the other. Some permanent or temporary border crossings despite the border fence and heavy militarisation bring a sense that people are reluctant to follow the international border, a form of ignorance or lack of consciousness, taking chance or sense of bravery to some that they could make it. Jones (2012: 698) describes such kinds of 'multiple strategies that transgress, reinterpret and ignore sovereign power' on the India-Bangladesh border without any political mandate construct spaces of refusal.

#### ***8.1.4 Political, social and Gendered Form of Bare Life***

Charting legal, quasi-legal and extra-legal activities of the state apparatus, political elites and mainland people, chapter 6 showed the process of constructing the enclaves as spaces of exception and bare life in the enclaves in Agamben's (1998) terms. This chapter explores the legal violence by the state-institutions and in this context the main protagonists are both the home and host country. In doing so, this chapter showed that bare life is not only constructed because of some places being kept as an extra-legal spaces (Agamben, 1998; Gregory, 2004; Bigo, 2006; Minca, 2007; Coleman & Grove, 2009) but also because some places are being left abandoned. The absence of a home country's rule of law and the irregular presence of the host country's sovereign power and control construct, in Giorgio Agamben's (1998) terms, a 'space of exception' where everyday life is characterised by exclusion from legal rights, but nonetheless subject to law, socio-political exploitation and gendered violence.

Chapter 6 has shown that bare life in the enclaves' spaces of exception are constructed by state agencies such as border guards, hospital authorities, polices and judicial processes; what I define as the vulnerability to abandonment. The enclave dwellers are practically abandoned by the home country what exposes them to the host country's strict measures of surveillances. In addition to the vulnerability to abandonment, this chapter has illustrated the construction of bare life in everyday social relations with examples touching the entire enclave, taking enclave dwellers land illegally by the local political elites and so on. With these examples, chapter 6

argued that the politico-judicial construction of bare life and social construction of bare life are practically linked to each other. Highlighting gendered violence and the patriarchy's role in making women more vulnerable to men, I am arguing that bare life is not gender neutral. We need to consider the gendered aspect of bare life in addition to the general construction of bare life.

Unlike the conventional notion of limit case, bare life in the enclaves does not make an end of everything. Although, Gregory (2006) considers there is a coexistence of bare life and resistance, the enclaves' examples suggest a coexistence of bare life and survival. By situating Agamben's 'bare life' in these enclaves, this thesis argues that the conceptualisation of bare life as solely a sovereign production paints an inadequate picture of the zone of abandonment. The chapter argues that in addition to the sovereign creation of bare life, social and gendered dimensions are essential for a nuanced approach to this concept. Thus, we need to count different forms of bare life rather than focusing only on the sovereign construction of bare life.

### ***8.1.5 The Rhythms of Everyday Survival Tactics***

While a significant part of the thesis deals with how the concerned states affect the enclave life, the last empirical chapter concentrates on how the enclave dwellers continue their everyday life in such precarious circumstances. Rather than only focusing on what they do for survival, I have focused on the temporalities of their rhythmic structure of social activities and politics of survival including *what* they do and *how* they try to survive and *what* the impact such methods have in their lives. Such focus helped to understand the cycles of individual and collective survival method including their success, failure, lessons, preparation and predictions for tough life following (Harris, 2000) formulation of rhythm. To understand the survival methods, I used certain tactics (De Certeau, 1984). The chapter articulates enclave dwellers' diverse individual negotiations with the host country through connections, politics and institutional corruptions. Many of the survival tactics involve the invisible entering into the host country's system such as making fake IDs. On the other hand, geographic location of the enclaves and enclave dweller's individual landholdings show they change tactics depending on the vulnerabilities and opportunities exist in those places (*see* chapter 7, section 7.4). All these initiatives connect legal and illegal actions under the shadow of legal norms. These contingent survival methods and cross border mobility across the enclaves, host and home country suggest small-scale, short-term, small and less ambitious, un-bureaucratic activism makes life work in the enclaves.

Conceptually, the survival-under-domination literatures are inadequate to articulate the diverse survival methods adopted in the enclaves. As I have shown in chapter 7 that the attempts to understand the collective mundane resistance (Scott, 1990), invisible encroachment on the system (Bayat, 2010), coping with the violent domination (Allen, 2008) or spaces of refusal

(Jones, 2012) either do not include such survival methods or are unable to conceptualise the complex reality and actions in the enclaves. While these approaches consider a mono-dimensional framework to understand the complex web of mundane survival under dominance, the examples from the enclaves suggest multimodal survival methods including everyday adaptation, quiet encroachment and spaces of refusal. Additionally, all these actions go parallel and are not relational in the enclaves' spaces. This also demonstrates multiple agencies' involvement in the whole process such as the enclave dweller and their contacts in state-system. With the examples of the everyday survival in the enclaves, the chapter argues that the complex process of survival initiatives can be better studied through an understanding of the functioning of multiple agencies alongside the dynamics of the power relations between the enclave dweller and the authority.

## **8.2 Implications of the Research**

This thesis has sought to contribute to enclave research by providing a systematic approach to the study of enclaves as well as linking legal geography scholarship with borderland research. The thesis has argued and showed that the enclave is a distinctive geopolitical entity because of its politico-spatial-legal reality and can provide illuminating perspectives on citizenship and abandonment, border, vulnerability and survival tactics. Thus, enclaves are not only important for the sake of enclave study but rather can offer a new theoretical understanding of political geographical concepts. In addition to contributing towards an understanding of the everyday geography of enclaves in India and Bangladesh, I hope this thesis will be of particular interest in political geography.

### ***8.2.1 Politico-Spatial-Legality: A Conceptual Framework to Study Enclaves***

The enclave is a neglected research agenda in social science and particularly in political geography. Vinokurov (2007) adopted the first systematic research on the world enclaves' through a politico-economic approach. While politics and economic matters are very important aspects of an enclave matter, this PhD thesis demonstrates that space and law are two other key factors intrinsically linked with an enclave and concerned states relations. To supplement Vinokurov's (2007) attempt at enclaves' theorisation, I deem an approach connecting politics, space and law can work well.

All the chapters of this thesis illustrated that the enclaves' geographic location and administrative reality varies greatly and create a complex scenario where more than a single authority works. Gregory (2004) in a different context argued that 'law is a site where political struggles not only in its suspension but also in its formulation, interpretation and application'. I find this argument useful for the enclave research in the application or practice of law. Law is

the centre of gravity of the everyday life in the Cooch Behar enclaves. In this context, it is not as a way of ordering place and people but as an instrumental tool of violence. Illegal, the antonym of legal also signifies some implication of the legal. All the empirical chapters demonstrate that a nuanced, broad and clear approach is required to explore and theorise such complex geopolitical curiosity. The empirical evidences reveal that the enclave means ‘in-between’ political, social and legal entity. Adopting a politico-spatial-legal approach, this thesis demonstrates that the legal meaning of space and spatial identity of the people are strongly visible when nation-state’s contiguity is fractured and cracked.

### ***8.2.2 Legal geography and Borderland Study***

With the empirical evidence collected during fieldwork, I argue that the enclaves’ example can contribute to legal geography in two ways; firstly, understanding law from an ‘out of legal space’. The legal geography scholarship focuses on the impact of the physical presence of law (Holder & Harrison, 2003). On the other hand, this study reveals a circumstance and space where law as institution and law as rights are physically absent. Therefore, there is an opportunity to reconceptualise ‘legal’ from the enclave’s perspective. This thesis argues that the materiality of law is more experiential in an abandoned space where legitimate legal authority of the home country is absent but irregular illegitimate sovereignty of the host country exists. I have illustrated throughout the thesis that enclave life is implicated in the law but they are not protected in the law, as enclave residents’ legal citizenship rights are abandoned but enclave life is shaped by the host country’s legal actions against illegal immigrants. As Delaney (2003: 80) states, ‘there is no aspect of social life that is beyond the reach of legal interpretation’.

Another claim this thesis makes in relation to the scope of legal geography scholarship is that legal geography scholarship is more concerned with urban legalities than that of the border (*see* Blomley, 2003; Kedar, 2003; Blomley & Delaney, 2001). The thesis argues that legal geography’s scope can be much wider than limiting it to research on city. The subjectivity of law is forcefully experienced in the enclaves. The notion of boundary appeared in the discussion of the racial boundary (Delaney, 2003); however international boundary and borderland remains largely beyond the scope. I argue that legal geography can be a valuable conceptual approach to think about borderland studies. Law is not only applied and contested in the spaces of the city; it is more felt in the border zone where two legal authorities intersect. The enclaves’ circumstances lie at the intersection where and how law as regulator to ensure territorial sovereignty and law as rights (citizenship) are contested. This brings the maintenance of the physical border as part of politico-spatial-legal interplay. This work reveals that not only enclave study but also the borderland and border research can benefit from the legal-spatial approach considering body as the scale of study and the site of the performing border.

### 8.2.3 State, Sovereignty and the Enclaves

This study exclusively focuses on the corporeal-experiential aspects of the reality of law, space and politics in the enclaves' spaces. While the scale of analysis is on a micro level, we can study the nation-state and territorial sovereignty from these micro-scale discussions. The construction of the abandoned space and absence of *de facto* legal sovereignty in the enclaves' spaces challenge the dominant theorisation of the sovereignty and territorial integrity of a nation-state. The ideal notion of sovereignty has been challenged by the concepts of the flexible (Ong, 1999), sovereign excesses (Sidaway, 2003) or contingent (Elden, 2006) or tacit (McConnell, 2009) or sovereignty practices. On the other hand, Cooch Behar enclaves reveal a situation where legal territorial sovereignty is absent without exercising authority over the given territory of a nation-state- what Jones (2009) describes as displaced sovereignty. Jones' (2009) conceptualisation of displaced sovereignty counts the absence of sovereignty in the enclaves, and the enclave dwellers movement across the host country violating another sovereign territory. However, Jones (2009) ignored another important aspect of sovereignty practices in the enclaves in a form of extra-territoriality. As chapter 6 (*see* section 6.3) demonstrates that the host country irregularly exercises illegitimate sovereignty over the enclave. In fact, enclave life is shaped by the host country's legal and illegal regulations and this can advance our understanding of mundane sovereignty practices. Here I echo Sidaway's (2003: 174) emphasis, 'beyond the issue of more or less sovereignty, beyond the presence or absence of undifferentiated sovereign power, towards a contextual understanding of different regimes, apparatus, expressions and representations of sovereignty'.

Here, I consider the state a spatialised social practice (Painter, 1995) that is itself a set of daily practices (Mountz, 2003; Herbert, 1997; Painter, 2006). The daily work of the enclave-host-home country interactions concerned states in relation to the enclaves brings two contradictory narratives. We can understand how the state-territory- citizen relation function, and how the state-foreign territory-foreigner relations work. The ethnographic examples shared throughout the thesis reveal that state-territory-citizen relations are non-existent, the enclave territory is ungoverned and citizens are abandoned. On the other hand, the state-foreign territory-foreigner narrative reveal a powerful state though its daily implementation of policy and strict measures to restrict foreign enclave dwellers' illegal entrance into the territory. In this context, border guards, hospital authorities, educational institutes, employers enact state in daily practices and establish legal boundaries between citizen and enclave dwellers. As Mountz (2010: 152) argues, 'our enactments and encounters with the state occur everywhere in daily life, well beyond the sites where borders are established.' This dualism enacting the state as both a home and host country demonstrates the power of the state to differentially treat certain spaces and some people. It also brings a troubled notion of the state when the state abandons its own enclave but irregularly and illegitimately uses foreign territory. The study shows that research on an enclave

is not only important for the sake of enclave study but also provides understanding of the nation-state.

#### ***8.2.4 Importance of Ethnography and Everyday in Enclave Research***

In political geography, there is a dearth of work on the everyday and ethnographic approaches to enclave research (McConnel, 2009a; Megoran, 2006). Ethnography is useful to understand political geographical actions on the local level as this thesis has shown. As the empirical chapters demonstrate, we need to understand individual actions and experiences alongside the local, national and bilateral policies and agreements to understand the sheer complexities of everyday enclave life. In light of the empirical chapters of this thesis, we can highlight the importance of the everyday and ethnography in the following ways.

Lived experiences of everyday abandonment, transient emergency citizenship, and citizenship aspirations tell the diversity in (non) citizenship experiences. And, it reveals the transient emergency citizenship is influenced by the enclave's geographic location, bilateral politics and individual enclave dwellers connections. This highlights the necessity of doing multi-sited ethnography to understand how the PSL interacts differently in different sites. Such lived experiences of enclave life need to be studied from an everyday perspective, otherwise many important issues remain unaddressed.

The performativity and the experiences of the border in this border zone reveal that the border is not only locally constructed but also constructed at the body level. I echo Mountz's (2004: 325) argument, 'the body reveals processes, relationships, and experiences otherwise obscured.' Chapter 5 revealed that the performativity of border often depend on the individual enclave resident and border-guard's cultural identity or personal prejudice/favour. Such important insights of the border would be obscured if the borders were not considered from the smallest scale of the body. Similarly, everyday survival in the enclaves strongly demonstrates that the enclave life is individually constituted and survival tactics vary depending on individual vulnerability, opportunity and necessity. The ethnography did not only explore *what* people do for a living but also concentrated on *how* enclave dwellers manage to do it. To understand such a reality, ethnographic participant observation is the unique method as it observes, participates and understands the study sites that are full of complexities, sensitivity, and hidden matrix of life; thus it counters the depoliticising abstractions of the host and home states (Nevins, 2002).

Multi-sited ethnography in the enclaves' significantly aided in articulating the everyday experiential aspect of bare life in these enclaves. Thus it is equally important to focus more on empirical work on bare life in addition to theoretical consideration. Empirical examples of bare life in a non-war like context have not travelled far in academic work; still bare life is an abstract construction. Research on expendable life, except in few cases, interrogates the role of

broad procedures or state policies in constructing bare life that are, to some extent, abstract. There are many places in this world which exist under the seizer of the law as Agamben argues, ‘there is no doubt that ‘the small group of obscure people will continue to give historians work to do’ (Agamben, 1999:12). Such an obscure or invisible bare life should be under scrutiny in academic discourse.

### **8.2.5 Abandonment and Statelessness**

The enclave dwellers non-citizenship and bare life experiences suggest that the people are stateless through abandonment from the home country and legal punishment by the host country. Statelessness in the Indian enclaves appeared in Jones’s (2010) account, however he did not locate enclave residents’ situation in the theorisation of statelessness. The *Convention on the Reduction of Statelessness* defines that ‘the nationality shall be granted by “operation of law to a person born in the states territory” to anyone who would otherwise be stateless’ (Blitz & Lynch, 2011b: 2). These enclaves are parts of their home country but there is no ‘operation of law’ in these enclaves. However, the enclave dwellers are not only taken out of the ‘operation of law’ but also enclave territory is kept out of the legal system as illustrated in the empirical chapters. There have been Hannah Arendt influenced works on statelessness based on the *Origins of Totalitarianism* in social and political theory. Arendt (1958: 295–296) argues,

The calamity of the rightless is not that they are deprived of life, liberty, and the pursuit of happiness, or of equality before the law and freedom of opinion... Their plight is not that they are not equal before the law, but that no law exists for them; not that they are oppressed but that nobody wants even to oppress them.

Thus, Hannah Arendt argues rightlessness is statelessness. And, the thesis has shown that the enclave dwellers in India and Bangladesh are living exactly in the same situation Arendt (1958) articulates. Arendt’s conceptualisation of statelessness or rightlessness linked to displacement or loss of home; similarly other literature emphasise more on displacement, refugee/asylum seeker and statelessness (see Mountz, 2010; Blitz & Lynch, 2011) or lack of territory and statelessness (see McConnell, 2009a; Blitz, 2011). But statelessness is not always constructed through displacement rather it is constructed within the state’s territory when there are violent conflicts or war as happens for the Kurds and previously occurred in Sri Lanka (see Sivapragasam, 2011). On the other hand, statelessness in the Indian and Bangladeshi enclaves is constructed because of territorial discontinuity and abandonment by the home country without any massive political instability or war. Therefore, these enclaves provide a different notion of statelessness.

### ***8.2.6 Implications in Policy Making and Awareness Building***

This thesis sheds lights on the ground realities of the hard and uncertain enclave life. It uncovers that the enclave dwellers are not only living in non-citizenship but also living without human rights for sixty-five years. This thesis can contribute in policy making in relation to the enclaves and border management practices on ground. Considering the slow, complicated exchange processes, and lack of state level political will to resolve this enduring problem, I am not optimistic that this thesis can have any direct implication on enclave exchange matters; however it can help the policy makers to understand the ground vulnerabilities and difficult life in the enclaves. The fieldwork in both sides of the border and discussions with the Home Ministry officials reveal that they have very little knowledge of the hardship of enclave life. This thesis can fill that gap between policy makers and enclave reality.

In addition, there is a misrepresentation of the enclave and enclave dwellers in some border officials published work and their general perception on the enclave life (*see* chapter 5, section 5.4). If this misrepresentation is politically motivated to cover up the political liability for not resolving the disputes over enclave matters, the thesis cannot help them. In this context, I believe the major implication of this thesis can be to raise awareness to other people such as human rights activists or NGOs who works for the vulnerable people. So far, the enclave dwellers' everyday vulnerability and non-citizenship only appear in the media when there is a major incident in the enclaves. Based on my fieldwork in Dhaka, Kolkata and Delhi, people living there do not even know what an enclave is. A similar view of these enclaves as forgotten or unknown to the majority of Indian and Bangladeshi citizens is also evident in the literatures on the India-Bangladesh enclaves (*see* Van Schendel, 2002, Whyte, 2002; Jones, 2010). Therefore, I believe this thesis can raise awareness in India and Bangladesh about the vulnerability and complicated life in the enclaves.

### **8.3 Evaluations: Conceptual and Methodological Framework**

I have taken a politico-spatial-legal approach to understand enclave residents' everyday lives. An approach with specific consideration of the human aspect has its strengths and weaknesses. Enclave residents' quotidian life through the interplay of space, politics and law nexus comprehensively sketches key components rights, regulations, vulnerability, and survival tactics connecting concerned states. This provides an inclusive picture of experiential aspect of life under legal closure. The weakness of dealing with the 'human aspect' of enclave life lays with less focus on territorial aspects such sovereignty or nation-state's contiguity. In addition, less attention is provided to the cultural and economic attributes of life such as the construction of identity, nationalism and the economic aspect of enclave life. Considering the time allocation for a PhD, it was not possible to explicitly focus on identity, nationalism or an enclave

economy. There are opportunities to do future research, and some research have already been done on sovereignty (Jones, 2009), nationalism (Van Schendel, 2002) and enclave economy (Vnokurov, 2007). None of the previous work on Cooch-Bihar enclaves exclusively focused on the enclave life considering the key politico-spatial-legal matters between the enclave-host-home countries. In this consideration, citizenship, border, vulnerability and survival methods are indispensable aspects of enclave life. These connections and contradictions between the enclave-host-home countries are, I consider, very important to understanding the complexities in enclave life and deserve more academic attention. This thesis aims at reducing this gap.

Methodologically, I argue that ethnography is the best method to enunciate the everyday life in the enclaves. And it is necessary to conduct ethnography in both sides of the border for an in-depth understanding of enclave life, otherwise many important characteristics of enclave will remain unstudied. If I had the opportunity to extend this project, I would go for a year-long fieldwork of intensive work in the all segments of the Bengal border where these enclaves are scattered. Considering the time and financial constraints, I chose two segments of the border (Patgram and Kurigram in Bangladesh and Dinhata in India) and worked on the enclaves located in those places which limited my ability to explore life in other segments (Panchagrah in Bangladesh and Mekhliganj in India) of the border. With this limitation, it is possible that I did not get a complete picture of the condition of the enclave life.

## **8.5 Future Research Avenues**

I consider several opportunities for further enclave research. One is to test the politico-spatial-legal approach in other enclaves' contexts to lead a broad and comprehensive theory of enclave. Understanding enclave through the interrelations of three key term politics, space and law is crafted and directed to the Cooch Bihar enclaves. Therefore, the specificity of this analysis needs to be applied to the contexts of other enclaves'. A broad theorisation of enclaves is not only important for the sake of enclaves but can also advance the concept of territory, nation-state and sovereignty aspects. Future research on enclaves can contribute to a nation-state's territorial strategy and existing linear knowledge on a nation-state's territorial contiguity. This discontinuity can be illustrated and theorised from different political, social or cultural components. On the other hand, specific research on Cooch Bihar enclaves can document identity formation and nationalism what is very important for these enclaves. Research could consider, for example, how enclave residents define their identities living in-between two nation-states and what roles religion and partition play in such identity formation can bring new theoretical understanding on identity and nationalism.

There is an opportunity to document recent events of citizenship aspirations connected to a broad theorisation of resistance and becoming political. With recent actions of become claimant

than the invisible human being, people in the enclaves are becoming political. The enclaves and nearby mainland districts are the spaces where these political struggles are taking place. These recent events can lead to future research on claims to political space by non-citizens as well as the process, agents and state-responses in the roads to become political. This is a new formation of political horizon and insurgent acts to determine its own citizenship in their desired nation-state. On the other hand, both the involved states are very close to the elimination of enclaves. In this context, very interesting future research is possible. If these enclaves are exchanged, research on the life changing phases of citizenship can add a new dimension to citizenship debates. Upon the successful implementation of the agreement, these enclaves' future will reside with the host country. With the provision of the choice to decide desired nation-state, it possible to think in what ways trans-territoriality and enclave environment construct nationalism and identity.

## **8.6 Final Remarks**

Border disputes have formed bilateral antagonism; however, the neighbourhood policy or foreign policy of both the states has also framed the enduring nature of border disputes. In all instances, enclave residents' remain the victim of all conflict. A history of the Bengal border disputes justifies Appadorai's thoughtful quote, 'the political forces, and not purely legal texts, ultimately shape political decisions' (1981:197). The exclusion of the entire enclave exchange from the 1958 agreement and delay in ratification of 1974-LBA are related to bilateral and domestic politics and not to legal constraints. In fact, legal worked as an instrument. Recent agreement on enclave exchange and removal of all border disputes after thirty-five years long silence demonstrate political goodwill can only make border disputes resolved. Once both the Prime Ministers agreed on a border dispute resolution package, it took a year for the Joint Boundary Working Group (JBWG) to resolve all technical disagreements on borders and what they failed to do in decade long JBWG meetings.

The signing of the agreement did not soften the Indian and Bangladeshi government's attitude toward enclave residents. While the Bangladeshi enclave residents' rallies on Cooch Behar are overlooked by law enforcing officials, an individual enclave resident's attempt to work other parts of India can cause imprisonment, such as in the case of one Bangladeshi enclave dweller who was caught in Haryana in July under the Foreigner's Act (Uttarbanga Sambad, 01 August, 2012). On the other hand, the Bangladesh government recently announced that no Indian enclave resident would receive a Bangladeshi ID card until the agreement is implemented (Daily Prothom Alo, 20 August, 2012). Therefore, the signing of the agreement has not changed enclave life.

In the last sixty years, the agreement came and expired without full implementation and there is nothing to substantiate either country's good will to resolve these matters. Optimistically, the new agreement envisioned an enclave and dispute free border but actual implementation is undecided. All the previous border agreements became topics of fierce domestic political contestation leading to legal battles; therefore the domestic political effects on boundary materialisation created the geologically slow border demarcation process. Any precise forecast about the Indo-Bangladesh agreement is impossible considering the unstable and unproductive methods and relationships. Since the signing of the Land Boundary Protocol (LBP) in September 2011, there was no progress on the Indian side to approve the LBP in parliament. As mentioned in the introduction, the West Bengal government and the main opposition party were opposed to this protocol from the beginning. They consider such territorial loss for India as unacceptable (*see* India Herald, August 03, 2012). The *Indian Herald* mentions that there is a move from the Indian government to raise the issue in the parliament for approval in the upcoming monsoon session. Apparently the BJP and the WB government will be in opposition and the ruling Congress party are in deficit of an absolute majority in the parliament. Therefore, if the government fails to convince the West Bengal ruling party, All India Trinomool Congress, then it is likely that the ratification will not take place in near future. However, the ratification of the agreement can only legitimise this Land Boundary Protocol in Indian Parliament. Any cession and accession of land needs a constitutional amendment in India. This agreement can only be implemented after constitutional amendment in India. This all means that it will take time. Being so close to eliminating the enclaves, will they still fail to implement? The saga of the enclaves may be drawing to a close—but don't hold your breath while you wait!

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