

Accessing Refuge: India and its 1971 Refugee "Problem"

Abstract:

In 1971, an estimated 10 million refugees crossed the border from then East Pakistan into India (UNHCR 2010 59). Like other mass influxes of populations that sought refuge in India - the Tibetan refugees who arrived in the 1950s and the Chakma refugees who arrived in 1964 (Chimni 1994 378) - the 1971 refugees were indeed welcomed. However, unlike the two previous mass influxes of refugees, the 1971 refugees were extended a limited welcome and were accorded hospitality "only until such time as they were able to go back to their country of permanent residence with dignity" (Mukherji 1971 399). The policy for the 1971 refugees, as articulated by the Indian state, makes no mention of rehabilitation, integration, and absorption (399). Their existence in India was to be temporary and their status was to remain as foreign nationals (399).

The story that forms the basis of this paper is that of the Indian state, namely the way in which its articulated policies on the 1971 refugees shaped, on the one hand, the state's understanding of refugehood and its response towards refugees, and, on the other hand, the refugees' own understanding of this label and the implications the policies had on their sense of belonging and identity formation. Through an analysis of the decisions taken by the Indian state, the labels administered, and the bureaucratic institutions established, this paper explores the tension between the notion of charity and the notion of rights (Samaddar 2010 114) by asking: On what grounds did the Indian state justify repatriation as the only viable solution to the situation of the 1971 refugees?