

**Jessica De Santi**

## **Her Internship Report ( May-July 2015)**

### **Note of Thanks**

I am incredibly grateful for the enriching experience that has been my internship at CRG, personally and academically. These past few months have been intellectually challenging and invigorating. The CRG environment and staff are supportive and friendly, and have really helped me to feel at home in a new place. Thank you for the friendship, guidance, advice, and great company this summer; I have thoroughly enjoyed every moment and I have learned so much. Thank you especially to Dr. Banerjee and Dr. Samaddar for their insight, suggestions, and guidance as I embarked on this project, and for opening this experience at CRG to young scholars.

### **Involvement**

While much of my time was spent working on my project, I was also involved in researching and editing for other ongoing projects at CRG. In particular, I provided brief overviews on the Law of the Sea and the Komagata Maru incident for ongoing research projects, and a summary of relevant provisions of copyright law in India as the CRG expands its online archive. Through these tasks, I gained a deeper understanding of the ongoing research direction of the CRG and of its commitment to public access of knowledge.

### **Research Project**

My research project sought to interrogate India's place in the global refugee protection regime in using the lenses of legal pluralism and constitutional pluralism. India's case as party to neither the 1951 Refugee Convention nor the 1967 Protocol while simultaneously one of the main refugee-receiving countries in the world, provides a unique example of how international legal norms can be translated into domestic practice, and how different sources of law can work to effectively manage serious international challenges like large refugee influxes.

### **Methods and Direction**

The paper unfolds broadly in two parts, which reflect the methodology used. The first part seeks to paint a picture of the current state of the law, internationally and domestically in India, that govern the treatment of refugees. This part necessarily relies heavily on international conventions and declarations, domestic legislation, and especially on domestic jurisprudence. Additional context for the laws are added to demonstrate the relationships between laws, and between law and its history.

The second part of the project attempts to frame India's place in the international refugee protection regime by examining its unique situation through two "metaphors" of international law: legal pluralism and constitutional pluralism (Buchanan 2009: 34). This part opens with an analysis of the weaknesses of the international legal regime governing refugees, before delving into whether, and to what extent legal or constitutional pluralism can provide an appropriate metaphor for India's refugee regime in an international context. The aim of this project is to interrogate how we "think about" refugee problems and whether changing the metaphor can open up to new solutions.