

Maria Philip

Her Internship Report (July-August 2014)

Positionality

I traveled to Kolkata this past summer of 2014 with the intention of investigating possible livelihood intervention programming for the East Bengali refugees who had migrated to the city following 1947's Partition and their descendants. I soon discovered, however, that members of this community were now considered illegal migrants, rendered stateless by exclusionary governmental practices. Dr. Samaddar gently informed me that intensive fieldwork in former refugee *bustees* and inquiries about their "illegal" residents would be unfeasible in one month.

While in the process of reconfiguring my research, image upon image of bustling informal settlements juxtaposed with luxury high-rises began to pique my interest in the relationship between illegality and informality in India's urban spaces. I resolved to trace the development of the legal regime surrounding the East Bengali migrant in Kolkata in order to better understand how and why a rightful refugee group lost its legal status and in what ways this alarming change yielded the unique, at times contentious, relationship between the migrant and the city-space in Kolkata.

Purpose Statement

The objective of my research was to track the evolution of the legal framework around which the Central government and West Bengal state government configured their responsibilities towards East Bengali refugees in Kolkata from 1947 to 1970 and the concurrent effects on the city's urban structure. I hypothesized that national and state authorities' strategic ambiguity in devising legislation to define the rights of post-partition East Bengali refugees and facilitate their integration into the Indian nation resulted in increases in the numbers of stateless people and informal housing settlements in Kolkata, both of which, in turn, have impacted the city's approach to development.

Method

During my brief immersion in Eastern academia, I reviewed literature related to post-partition migration, postcolonial state-building, and neoliberal economic development in India that I found in the Calcutta Research Group's (CRG) Resource Center. I also traveled to the National Library in order to examine official missives from India's Constituent Assembly debates and West Bengal's Legislative Assembly proceedings.

Result

Through my scholarly and archival research on the history of East Bengali migration to Kolkata from 1947-1970, I learned of the historic flexibility that both the Central government and West Bengal state government exercised in establishing legal distinctions between "displaced person," "refugee," and "economic migrant." The discursiveness of the East Bengali "refugee" figure, who was often recast as an economic migrant meant to bolster the productive power of the Indian Union, lessened the urgency of his or her demands for rightful inclusion into the body politic. Furthermore, the lack of comprehensive and binding national or state obligations to migrants allowed for extemporary and inconsistent administrative policies of relief, rehabilitation, and integration.

I presented my findings at the CRG office on August 28th. I divided the presentation into four sections in which I detailed 1) official missives 2) a chronology of refugee-related press notes and policies from between 1947 and 1970 3) refugees' own acts of agency in the city's political economy and housing sector and 4) the contemporary experiences of urban migrants in the wake of neoliberal development in Kolkata. In the first section, I noted that rampant unemployment and scarcity of land in West Bengal prompted national and state policy-makers to quickly abandon invocations of kinship in favor of rhetoric that advocated marrying refugee rehabilitation to the state's development objectives. In the second section, I acknowledged that India is not a signatory to the 1951 UN Convention on the Status of Refugees or its 1967 Protocol, giving the country plenary authority to determine the legal status of

"refugee" groups and the quantum of assistance they are to receive. Uncompelled to issue blanket-recognition of post-partition East Bengali migrants as refugees by internationally understood standards, West Bengal authorities were able to announce arbitrary cut-off dates after which migrants from East Bengal were no longer eligible to register as refugees. Among the measures I included in my analysis were the following:

- Article 6b of the Constitution of India, which stipulates that only individuals who had migrated to India before July 19th, 1948 and resided within the country's territory since the date of migration would be granted immediate citizenship.
- A West Bengal Government Press Note that set June 25th, 1948 as the date after which East Bengali migrants arriving in West Bengal could no longer be classified as "refugees" entitled to government assistance. Official opinion attributed migration after this date to economic motivations and not religious persecution or communal violence.
- A West Bengal Government Decree that instructed all displaced persons wishing to receive relief and rehabilitation to register themselves with state authorities before January 31st, 1949. This order effectively restricted the number of migrants displaced from East Bengal who could avail themselves of the services of government-run relief camps and vocational training centers after that date.
- The 1952 Passport System, which attempted to curtail the stalwartly east-to-west flow of migration by mandating passports for inter-state travel between India and Pakistan. The passport system reversed the agreed-upon "freedom of movement" clause of the 1950 Nehru-Liaquat Pact.
- The 1958 Dandakaranya Project, which was conceived of as a way to disperse displaced persons who arrived from East Bengal during the late '50s and '60s outside of West Bengal. The project established refugee colonies in a rocky, infertile area encompassing parts of Orissa and Madhya Pradesh. Refugees were tasked with clearing and cultivating the land and setting the paradigm of civilization for the area's native nomadic tribes.

I proceeded in the third section to describe how refugees' rejection of meager government doles and the subhuman standards of shelter, nutrition, sanitation, and water supply of government transit camps produced the *jabardakhal* movement, in which East Bengali migrants established squatter colonies on vacant public and private properties. Finally, in the fourth section, I argued that the process of "othering" and societal boundary-making constitutive of nation-state formation is being repeated in the contemporary urban space as slum evictions and oppressive labor conditions point to the sustained search of urban migrants for security, livelihood, and the institutionalization of migrant rights to property and political belonging in the age of neoliberal development.

Thesis

The commentary I received from Dr. Ghosh, Dr. Bannerjee, Mr. Mitra, Ms. Bagchi, Ms. Sengupta and Ms. Basu has greatly informed my Thesis work. In brief, my Thesis aims to relate the informality that illegality in matters of migration begets to the developmental imperatives of nation-state-building by examining 1) the volatility of national, state, and local policies and practices governing the management of migration into Kolkata alongside 2) migrants' survival strategies and 3) their resultant effect on the city's informal economy and informal housing sector. The research will specifically engage with the migratory experiences of East Bengali refugees from 1947 to 1970, East Bengali refugees of 1971, Bihari migrants, rural West Bengalis, and Bangladeshis. The Thesis will argue that the absence of systematic, legislatively prescribed mechanisms for the political, economic, and social integration of migrants into the body politic has one, compelled migrating populations to construct makeshift housing arrangements and participate in the informal economic sector (for example, as operators of roadside tea stalls and barber stations, street-hawkers, cycle-rickshaw drivers, rag pickers, domestic service laborers, and handcart pullers) and two, made "possible a mode of political and economic management [that] exploits the difference between the legal and the illegal" (Samaddar 2002 44). It will address the latter point by narrating how recent efforts to transform Kolkata into a "world class city" have delimited the right of the urban migrant poor to the very same public space their labor is being used to develop.

Rapporteur

I must also credit the opportunities I received to attend the following CRG-sponsored public lecture, workshop, and conference with stimulating my curiosity and furthering my understanding of the phenomena I witnessed first-hand while in Kolkata:

- The Public Lecture of Mr. Simpreet Single on "Politics of the Civil Society and Civility of the Political Society" – July 31st, 2014
- The First Researchers' Workshop on "Cities, Rural Migrants, and the Urban Poor – Issues of Violence and Social Justice" – August 1-2, 2014
- The Fifth Critical Studies Conference on "Accumulation under Post-Colonial Capitalism" – August 21-23, 2014