

**'STATELESSNESS' AND CITIZENSHIP: CAMPS AND THE CREATION OF  
POLITICAL SPACE**

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*For Ajit*

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[INSERT FIGURE 0.1 HERE]

V-P-INPK-N-00054-01A

Caption: 12/1971. Dacca. Mohamedpur camp.

Source: CICR/KURZ, Jean-Jacques

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## NAMES AND ACRONYMS:

AL – Awami League (ruling party)

Al Falah – Al Falah Bangladesh (Urdu-speaking NGO)

BNP – Bangladesh Nationalist Party (opposition party)

ICRC – International Committee for the Red Cross

Jamaat – Bangladesh Jamaat-i-Islami (far right Islamic political party). Formerly Jamaat-i-Islami Bangladesh, renamed in 2008

RMMRU – Refugee and Migratory Movements Research Unit (research centre affiliated to the University of Dhaka)

SPGRC – Stranded Pakistani General Repatriation Committee (pro-Pakistani Urdu-speaking civil society group)

UNHCR – United Nations High Commission for Refugees

USYRM - The Urdu-speaking Youth Rehabilitation Movement (Urdu-speaking civil society organisation). Formerly the Stranded Pakistani Youth *Repatriation* Movement' (SPYRM), renamed in 2008

narrative of an ‘Urdu-speaking identity’. Today it is to the camp that the narrative of ‘community’ speaks.

As we consider where ‘community’ ends and ‘society’ or ‘people-nation’ begin it is necessary to consider the role of civil status. In the negotiations of daily lives the line drawn between ‘statelessness’ and stateness is often conceived in legal terms, but can the boundaries of the nation ever be so discretely drawn? As the following chapter argues, this line may indeed be configured in space, but if so it is therefore a line that can be crossed. The boundaries of the nation are mutable and messy and, as we begin to see, ‘camp-dwellers’ may in fact be neither citizens nor non-citizens in any tangible sense, gaining access and being denied access in different contingent and contextual moments. They are not simply inside or outside citizenship but float along the concept’s borderlines (Chatterjee, 2004) in a complicated and contested relationship with the nation-state.

## **THE CRAFTING OF CITIZENSHIP: PROPERTY, TERRITORY AND THE POST-COLONIAL STATE**

Chatterjee’s (2004) observation that citizenship will take on two different shapes, the ‘formal’ and the ‘real’, makes reference to a well-rehearsed duality evident in the citizenship literature. This takes the form of work that emphasizes a ‘formal’ and legally coded status alongside more ‘substantive’ examples of socio-political engagement. His concept of ‘the real’ disrupts the reductive rationality in which “the latter is seen as a



condition of possibility of the former” (Isin and Nielsen, 2008, p.2), and he argues that the negotiated instability the ‘real’ represents may be exaggerated in postcolonial space. By approaching citizenship substantively, not just as an analytical concept, this chapter will explore that ‘negotiated instability’ in greater depth, asking how ‘Urdu-speakers’ access rights and in what form, and analysing the dynamic between individual agency and structural constraints. In light of contemporary configurations of ‘community’ discussed already, and the significance of settlement in processes of identity construction today, I will examine in particular the way experiences of citizenship are affected by physical segregation or the spatial dynamics of settlement.

I will begin by considering the discourses of blame and responsibility that have arisen to explain the distinctions of ‘insider’ and ‘outsider’ that 1972 produced, and the intra-‘community’ fissures these discourses represent. I will then examine how, prior to 2008, these distinctions affected the ability of different groups to access particular rights of citizenship. In considering ‘rights’ most commonly indicated by interviewees themselves I include both those considered markers of ‘formal status’ and those considered examples of ‘substantive practice’, arguing that the forms of citizenship experienced complicate such neat and tidy binary poles. Through a focus on those ‘acts’ when subjects constitute themselves as citizens (Isin and Nielsen, 2008) I investigate the ways in which ‘formal status’ is subverted, examining the moments of negotiation through which claims to political being are made. In asking how and when a ‘stateless’ population ‘access’ citizenship, through which processes, and by what means, the chapter unsettles some established debates.

Since 1972, as a space of ‘statelessness’ the camp has affirmed the existence of the nation-state, but Agamben’s (1998; 2005) influential binary between ‘political beings’ and

'bare life' relies on a crude and one-dimensional reification which is deserving of critique. In the 'abject' space of the camp, political being has in fact been enacted on a number levels as 'stateless camp-dwellers' cross the boundaries between acceptance and rejection on a daily basis. In doing so, they force us to question whether the 'naked life' engendered through disenfranchisement is quite so naked after all? Liberal theory's restricted vision has masked this tension, and a closer look at the construction of citizenship in Bangladesh unearths a reality of partial, shifting and deceptively permeable terrain.

### **Histories of citizenship in Bangladesh**

It is important to recognise that practices and experiences of citizenship are always embedded in understandings of politics and public culture that are neither fixed nor ahistorically produced. Instead, specific and located 'histories of citizenship' emerged in colonial societies (Kabeer, 2002), and citizenship in Bangladesh can only be understood within this frame.

During colonial rule in India, constructions of citizenship were influenced by a regime which reified and legally authorized a particular interpretation of society. While the mass of ordinary people were regarded as uneducated, 'irrational' and therefore in need of firm governance, the educated, propertied, middle classes were considered to be amenable to reasoned negotiation (Blom Hansen, 1999). The bifurcated social order this produced made the issue of legal subjects in India deeply ambiguous. In one sense an individual was a person with property rights, an entitlement to due process and so on, while in another sense an individual was a member of a collective, invested with custom, ritual and emotion that evaded the logic of modern jurisprudence. A propertied, educated

member of the urban middle class would be identified with the former and would be expected to be capable of rational calculation. The poor and uneducated ‘masses’ were seen as living almost entirely within the latter more ‘traditional’ concept of legality (Blom Hansen, 1999). Within the realm of legal institutions this is distinction to which the postcolonial states of Bangladesh and Pakistan were certainly heir. I argue that the ‘identity slots’ produced by these processes have endured in Bangladesh today.

In addition to practices and discourses of British colonial rule, contemporary constructions of citizenship and nationhood in Bengal cannot be appreciated without an understanding of the legacy of 1947 (Daiya, 2008). The ‘crafting’ of citizenship in the aftermath of Partition was a process that left an indelible mark on those who remained. As Zamindar (2007) explains, with state formation taking place alongside large-scale displacement, definitions of citizenship were shaken to the core. In a whirlwind of people on the move, nebulous relationships between citizens and state, nation and territory slowly had to be smoothed. For many years it remained difficult to define citizenship in terms of religious, community or territorial location and it was not until five years after decolonization, with the introduction of passports and visas in 1952, that efforts were made to pin down people’s citizenship unequivocally. During this time distinctive forms of citizenship were pioneered in the subcontinent that are still not well understood. It was a complicated evolutionary process and to this day citizenship in the region continues to be negotiable to an extraordinary degree (Ahmed et al, 2004). The investigations of this chapter and the next suggest that in light of the unprecedented scale of evacuation in 1947, the much neglected issue of property remains central to much of the ‘negotiability’ that remains.

Daiya (2008) shows how India's Displaced Persons (Compensation and Rehabilitation) Act of 1954, reconfigured displacement as the process by which one was divested of managerial control over private property. The displacement of those Muslims who migrated to Pakistan was articulated with property ownership in such a way that belonging was disconnected from the sense of inhabiting a territorialized space as home; the loss of private property literally became about 'losing one's place'. She goes on to show how, in the eyes of both the Indian and Pakistani Governments, Partition's migrants were constructed both as citizens of the state in which they were found, and simultaneously aliens in their original homes. As such, the property and assets of the departed were appropriated by the state, in the form of refugee rehabilitation (for those who had arrived). Abandoned properties were requisitioned by the Indian government as 'evacuee property' as early as February 1948 and The Administration of Evacuee Property Act was formally passed two years later (Daiya, 2008). The citizenship of Muslims in Pakistan relied, therefore, on the displacement of Hindus, and vice versa in India. Property ownership had become a tool in the construction of citizenship.

In the aftermath of 1971, the use of property as a state technology of ethno-nationalism, legitimised the displacement of thousands in the newly formed Bangladesh. The Vested Property Act of the early years of Pakistan, and reinforced in the promulgation of Enemy Property (Custody and Registration) Order of 1965, was not withdrawn with the creation of Bangladesh, but given a new lease of life. The Bangladesh Vesting of Property and Assets Order 1972 seriously disadvantaged minority communities and did nothing to help to ease old wounds (Ghosh, 2004 p.21). Much like 1947, many people left their homes for the protection of camps assuming they would return once it was safe. But as a new country emerged, laws were quickly promulgated that reflected the Bengali nationalism on which the state was founded. Through the 'Bangladesh Abandoned

Property Order' of 1972 the appropriation of properties was legalised (Farooqui, 2000). Many people who had moved to the camps for temporary protection never returned home. As we will see, they lost more than just their homes; in the following years they lost their claims to citizenship as well.

The horrors of the War, and the trauma it left behind, cut through the Bengali imagination and remain deeply embedded in the cultural memory of the nation. The ethno-linguistic nationalism produced cemented a Bengali identity at the nation's heart. This identity has evolved, and in recent years the Bengali ethnic state has been re-framed, but, as the Bangladesh constitution reveals, identity and language were written into its bones.

### The Constitution of Bangladesh

The Constitution of Bangladesh came into operation in December 1972, based upon the four State Principles of Nationalism, Secularism, Socialism and Democracy (Farooqui, 2008). Article Twenty five recognizes respect for international law and the principles of the UN Charter, while Article Eleven declares that the Republic shall be a democracy in which fundamental human rights, freedoms and respect for the dignity and worth of human beings shall be guaranteed. However, as Article Nine reveals, many of these noble principles were in the end confounded by the ethno-linguistic nationalism that lay beneath:

Article Nine - The unity and solidarity of the Bangalee nation, which, deriving its identity from its language and culture, attained sovereign and independent Bangladesh through a united and determined struggle in the war of independence, *shall be the basis of Bangalee nationalism* (emphasis added).

Despite the fact that protection for linguistic rights, observed in the Universal Declaration of Human Rights, is made binding through Bangladesh's recognition of the UN Charter, the Constitution remained notably silent on the issue:

Article Twenty eight (1) – The state shall not discriminate against any citizens on grounds only of religion, race, caste, sex or place of birth.

The Liberation War had fought against brutal exploitation, marginalisation and impoverishment at the hands of West Pakistan, and the issues of language and identity galvanized public support in a unique and compelling way. It is no wonder, therefore, that it was to become so central to the nationalist campaign. On the Constitution's declaration in 1972, Sheikh Mujib, the leader of the liberation movement and first President of Bangladesh is believed to have said, "From today there are no tribal sub-groups in Bangladesh; *every one is a Bengali*" (Farooqui, 2008, p.21). Unsurprisingly indigenous groups nationwide were angered by the remark, and Article Nine of the Constitution was later repealed (1977). However, no amendment was made to the Constitution to accommodate international law and the covenants acceded to in relation to language rights. Somewhat paradoxically, the heritage of the Language Movement influenced the adoption of a constitution that expressly neglected its cause. "The very base of the secularism and democracy was laid with discrimination" (Farooqui, 2008, p.22).

The Bengali people had come to embody Liberation, and in the process the homogeneity of the Bengali nation was established as a vital part of the national story. As such, alongside the Hindu minority and the small Buddhist and Christian communities, as well the non-Bengali communities like the Chakmas, Tripuras and Marmas in the Chittagong Hill Tracts<sup>46</sup>, the 'Urdu-speakers' have been effectively disappeared from politics, policy

or public life. In reinforcing the story of homogeneity, their social and political marginalisation has been enacted less through the ‘language of the state’ than its silence. As Rahman (2003) argues, the issue of the ‘Biharis’ was pushed to the sideline, occasionally resurfacing after long intervals, but treated as a political problem without a human content.

Despite this silence, academic institutions, NGOs (both Bengali and Urdu-speaking) and International Organisations have long sought recognition for ‘Urdu-speakers’; claiming that the vast majority have, in fact, always been citizens under the constitution. As the UNHCR Bangladesh Representative Pia Prytz Phiri observed in March 2007, “Urdu-speaking Biharis are the citizens of Bangladesh *as per its constitution*”. (Daily Star, March 11<sup>th</sup> 2007). And as the New Age Extra reported in July 2008,

By the constitution of Bangladesh, they are already citizens...They have been living here ever since East Pakistan gained autonomy and their children have been born and brought up here. *By law, that is sufficient enough to grant them citizenship* (New Age Extra, July 25<sup>th</sup> 2008).

As these people explain, the ‘Urdu-speaking community’s’ erstwhile citizenship (of East Pakistan) was never formally revoked. In the aftermath of 1971 they simply lost the Government recognition that made those rights effective, but ‘constitutionally’ those rights remained. The Convention relating to the Status of ‘stateless’ Persons 1954 identifies a ‘stateless’ person as one “who is not considered as a national by any state under the operation of its law”<sup>47</sup>. This limited definition omits those described as ‘de facto stateless’, those people who for whatever reason have been unable to establish the nationality they may constitutionally hold and who are consequently unable to enjoy the rights that are associated with citizenship (Rahman, 2003). As a Senior Protection Officer for UNHCR Bangladesh explained:

You may be a 'de jure citizen' but 'de facto stateless', as many people are, prevented from accessing the 'rights' of citizenship because (you've) not had the opportunities for thirty seven years for doing so, because (your) skill sets are limited because of that exclusion, (because of) livelihood opportunities, but also living conditions... They've always had citizenship it was just never recognised... the law clearly says that these people are citizens, it clearly says that, but if everyone in the Government says they're not citizens it is by virtue of that non recognition equal, the impact is equal in fact (Jarjun Bain, Senior Protection Officer, UNHCR, Dhaka - interview conducted in English).

On account of such 'non-recognition', references in the media and even in legal statements serially refer to the entire 'Urdu-speaking community' as 'stateless'. As my research discovered however, the reality has always been much more nuanced. On 14th June 2007 a letter was written by the Chief Election Commissioner to the Chief Adviser of the Caretaker Government which explained some of these complexities. According to the Daily Star Newspaper (the largest English language daily) the letter stated that the Election Commission had never faced any problems registering 'Urdu-speakers' living outside the camps in the voter roll: "They have been listed in the electoral roll following the criteria set for the purpose." It added, however, that difficulties occurred "in registering those living inside the camps due to complications regarding their Bangladeshi citizenship" (July 24<sup>th</sup> 2008, Daily Star Newspaper). As research confirmed, laws of 'ius solis' or 'ius sanguinis' (both of which have recognised legal value under the Citizenship Act of 1951 and Citizenship Order of 1972) were undermined by a civil status effectively constituted on 'socio-spatial' grounds.

### The spatialization of citizenship

The Bangladeshi Citizenship Order of 1972, states that:



every person whose father or grandfather was born in the territories now comprised in Bangladesh and who was a permanent resident of such territories on the 25<sup>th</sup> day of March 1971 and continues to be so resident; or who was a permanent resident of such territories on the 25<sup>th</sup> day of March 1971 and continues to be so resident and is not otherwise disqualified for being a citizen by or under any law for the time being in force

shall be deemed a citizen of Bangladesh.<sup>48</sup> Under this provision ‘Urdu-speakers’ born in the region as well as those who migrated would qualify, as long as they had not been disqualified under law. Critically, however, this issue of disqualification was enough to withdraw government recognition from those the state found most troubling. Residence in the camps became just those grounds for disqualification.

Under the Citizenship Act of 1951, the Bangladeshi Citizenship Order of 1972 and the Amendment Ordinance of 1978 (relating to the Order of 1972), eligibility to citizenship is denied to any subject who expresses ‘allegiance to a foreign state’. In 1972 camp residents across the country were surveyed by the ICRC and asked to choose between settlement in Bangladesh or so-called ‘repatriation’ to (West) Pakistan, a country most had never seen. Not surprisingly, as many as sixty percent of this homeless population opted for settlement in Pakistan, as the Chief of Mission, ICRC, Bangladesh, explained:

There was an agreement between the Pakistani Government and the Bangladesh Government and the Indian Government which called for repatriation of a number of Biharis...(and) determined four categories of persons (eligible to leave). In connection with this, ICRC then organised in all the camps the possibility to register. These applications for repatriation to Pakistan were then given or handed over for treatment of the Pakistani authorities and the answers then came back, the green light or the red light or whatever (Ralph Finder, CoM, ICRC Bangladesh - interview conducted in English).<sup>49</sup>

However, the enemy allegiance these resettlement requests apparently expressed became the legal loophole necessary, resulting in the disqualification of the entire ‘camp–

community'. From this point on, mere residence in the camps was regarded as an expression of 'allegiance (to Pakistan) by conduct'; an 'internal border' had been drawn.

A number of rulings disputed such claims and held camp residents to be citizens under the Act of 1951 and Order of 1972. One widely reported case was the 2003 'Abid Khan and others v. Bangladesh' case, heard by the Supreme Court, High Court Division, in which ten camp residents were involved. The court divided the petitioners into two groups, and in relation to the first, those born before Liberation in East Pakistan and now resident in Geneva camp, it held that:

The so-called Geneva camp has (not) attained any special status so as to be excluded from the operation of the laws of the land including the said President Order, the Electoral Rolls Ordinance 1982 or the Citizenship Act 1951. So mere, residence of the first group of the petitioners at the Geneva camp cannot be termed allegiance to another state by conduct. Therefore residents of Geneva camp should not be excluded from the laws of the country, from Electoral Rolls or from the Citizenship Act of 1951 (Abid Khan and others v. Bangladesh, 5<sup>th</sup> March, 2003).<sup>50</sup>

In relation to the second group of petitioners, those born after the Independence of Bangladesh, the Court observed that:

Their case appears to be simple in view of section four of the Citizenship Act, 1951...(stating that) every person born in Bangladesh after commencement of this Act shall be a citizen of Bangladesh by birth...We have already decided the status of Geneva Camp earlier...So, we find the second group of petitioners are also Bangladeshi citizens by birth (Abid Khan and others v. Bangladesh, 5<sup>th</sup> March, 2003).

When the verdict was announced a significant precedent had been set; the 'camp community's' constitutional rights appeared to have been upheld in law. Older residents who were not born in the territory did not fall under the precedent set by such a ruling, but in a number of separate cases (for example 'Mukhtar Ahmed v. Government of

Bangladesh, 34 DLR 29’ and ‘Abdul Khaleque v. Court of Settlement and others, 44 DLR 273’) the Supreme Court has held them also citizens by operation of the law (Ilias, 2003).

Despite such a precedent, however, only the petitioners themselves were granted citizenship; the status of the ‘camp-dwellers’ as a whole remained unclear. One of those involved in the case, my research assistant Ajit, revealed that although the Government did not appeal against the decision the limited nature of the ruling created problems in the realisation of such citizenship. As the verdict had not pertained to the whole ‘community’, the Election Commission did not alter the voter list appropriately, and as a result his voting status remained unchanged. He received his identity card four years later in 2007, and explained, “Before that I was a citizen but I could not prove I was, without an identity card etc. I was a citizen only in name. I was very much a half kind of citizen” (Ajit, ‘in between’, 30, Dhaka).

Legal status is often regarded as the most objective dimension of citizenship, and with that, the most significant, but clearly it is not always sufficient to access the rights and benefits attached. Some attempt was made by international organisations to illuminate the irony, in the hope of achieving a more comprehensive ruling:

We (the ICRC) intervened with the Bangladeshi Government, and could clearly illustrate to them that...the registration as belonging to a particular group (the applications for repatriation made in 1972) does not determine statehood (Ralph Finder, CoM ICRC Bangladesh - interview conducted in English).

Notably, some of those who live outside the camps had also made registration attempts, but in their case, ‘allegiance to a foreign state’ was never an issue. A well-respected ‘community’ leader explained:

I even opted for Pakistan. I was earning a livelihood filling forms out for the ICRC. I noticed that people were giving false names so they could be sent to Pakistan...I was honest so my application was rejected (Md. Islam, 'outsider', 50+, Dhaka).

It has also been noted that thousands of Bangladeshis have, at different times, applied for foreign visas, indicating their intention to migrate and receive citizenship of a foreign country, but these applications have not been considered expressions of allegiance by conduct. Nonetheless, legal ambiguity continued to impede the process for 'camp-dwellers', and enabled successive Governments to remain silent. Although occasional overtures were made by individual parties (particularly the Bangladeshi Nationalist Party), they were never heavily publicized and never fully followed up. While not appearing to openly stand in the way of proceedings, a judiciary that is notoriously vulnerable to influence clearly caused problems (Refugees International, 2008a). The political value of this continued stalemate to both of the main parties, who were aware that the recognition of 'Urdu-speakers' would not be popular among many voters, was well understood by Urdu and Bengali speaking activists at the time.

In spite of these obstacles, legal success eventually came about through a confluence of factors. In the context of a growing pro-democracy movement in Bangladesh, lead by groups such as Ain-o-Shalish Kendra (ASK) and supported by sections of the Academy, a Caretaker Government was installed when the country descended into political turmoil in 2006. With it came the opportunity to look at the case afresh. As one interviewee observed:

The Caretaker Government took initiative to provide us ID card...I don't think that political Government would have helped us in this regard (Delwar, 'insider', 50, Saidpur).

In addition to the earlier precedent-setting judgements, the elections planned for December 2008 (and the introduction of the National ID system) galvanized the Election Commission towards a clarification of their status.

### The 2008 High Court ruling

In May 2008, the Supreme Court observed that as per the 1951 Act “every person born in Bangladesh after commencement of this act shall be a citizen by birth” and in accordance with the Bangladeshi Citizenship Order of 1972 all those who have been in the country since 1971 are also eligible. The Court added:

In the acquisition of such citizenship, the laws have made no discrimination in any way on the ground of ethnicity, language, sex etc. Members of the Urdu-speaking people wherever they live in Bangladesh if they answer the above qualifications shall become citizen of Bangladesh and in view of the above provisions have already acquired the citizenship of Bangladesh by operation of law and no intervention of the Government is necessary. Such people have accordingly become eligible with the attainment of majority for enlistment as voters under Article one hundred and twenty two (2) of the Constitution and the Election Commission is under constitutional obligation to enrol them in the electoral rolls as voters. No functionary of the Republic can deny such rights of the Urdu-speaking people who want to be enrolled as voters.<sup>51</sup>

As the court confirmed, after thirty-six years citizenship rights had been reinstated to “*all* members of the Urdu-speaking people wherever they live in Bangladesh”. In the final instance

The Government commendably did not appeal the decision, either because the law was overwhelmingly clear or it tacitly recognized that the issue had lingered too long (Refugees International, 2008a).

The decision represents a significant shift in attitudes, and has since been considered “a major success in the campaign to end ‘statelessness’ around the world” (Refugees International, 2008b). The ambiguity that preceded the decision is however less readily acknowledged. Still today popular discourse assumes that ‘Urdu-speakers’ were disenfranchised as a result of their ethno-linguistic identity and involvement in the War. However, as the Chief Election Commissioner’s letter made clear, those who were not dispossessed have been registered on the voter roll for a number of years. Deep divisions have grown within ‘the community’ ever since and discourses of blame and responsibility have developed to justify divergent fates and fortunes.

### **Agency, Choice and Blame**

When asked to choose between settlement in Bangladesh or so-called ‘repatriation’ to Pakistan in 1972 the majority of ‘camp-dwellers’ opted for ‘repatriation.’ Some left in fits and bursts for some years after but as the Pakistani Government’s enthusiasm for these incomers waned, the process gradually petered out (Partha Ghosh, 2004). While the cultural and linguistic association of the ‘Urdu-speakers’ with Pakistan was always problematic, it was apparently this expressed desire to be taken to Pakistan that ultimately disenfranchised those in the camp. As Hussein recalls:

We cast our vote before 1971. It was taken away because people were trying to repatriate themselves to Pakistan...when we moved to the camp everything changed (Hussein, ‘insider’, 65, Saidpur).

The marking of inclusion and exclusion is fundamental to the making of citizenship and, without any representable limit; it is always an ambiguous process. As the Government defined the boundaries of the nation it said very little, reluctant to re-ignite a sensitive

political issue and as a result of wide-ranging vested interests within both of the major parties. In its absence, the SPGRC was formed, filling a gap in the conversation and pursuing the cause of ‘repatriation’, not an issue on which all ‘Urdu-speakers’ were ever united. The SPGRC were, however, a powerful voice and, ever since, those inside the camps have been understood as of a collective political voice that is ‘Pro-Pakistani’. Until 2008 the label ‘Stranded Pakistani’ confirmed their part in the process. Consequently, a story of *self*-segregation is common among Bengalis, ‘insiders’ and ‘outsiders’ alike:

Before the High Court ruling, the local people didn’t like us (the camp-dwellers), they treated us as ‘Stranded Pakistanis’ and thought *we wanted* to be ‘Stranded Pakistanis’, and this created a barrier (**“bandh”**) (Md. Akhtar, ‘insider’, 45, Dhaka – emphasis added).

As a Bengali academic and activist explained,

Their...mistake was their support to Pakistan which made them really alienated by Bengali society (Professor Chowdhury, Bengali, 50+, Dhaka - interview conducted in English).

Goffman (1968) argues that stigma theories are constructed in part to explain the inferiority of a particular group and in part to account for the danger they represent. Such theories enable society to understand a ‘defect’ as just retribution for something previously done, and consequently a justification for the way we treat them; those who suffer stigma sometimes also suffer blame. As Professor Chowdhury above explains, the ‘camp-dwellers’ ‘mistake’ (their pro-Pakistani sentiment) is the reason why they are stigmatized today. But which came first for camp residents - social ostracism or pro-Pakistani sentiment - is difficult to determine, as is whether those who live outside have succeeded in doing so because of their willingness to accept Bangladesh, or Bangladeshi society’s willingness to accept them. Most ‘Urdu-speakers’ who live outside (along with

some inside) suggest that a stronger identification with Bangladesh among ‘outsiders’ has to some extent conditioned their access to rights; just as the historical identification of ‘camp-dwellers’ with Pakistan has hindered theirs. However, this is a narrative that ignores existing power relations, and masks the role of the state in the production of national belonging.

### ‘Outsiders’

After the war, the SPGRC gradually became a powerful force in the camps. They controlled camp rations and began collecting a tax from residents for their services. Some interviewees suggested that not to have conformed to their position would have made life in these spaces difficult at the time; others that the camp population were simply manipulated:

There were those who wanted to go to Pakistan in Dhaka and elsewhere, who formed the SPGRC and the SPGRC were so strong they convinced the (camp) community that they were Pakistani and not entitled to anything here (Khalid Bholo, ‘outsider’, around 50, Saidpur).

Part of this narrative, outside the camps, implies that as a result of their lack of education the ‘camp-dwellers’ were easy targets:

Those in the camps didn’t have citizenship because they were misguided by some community leaders who made them Stranded Pakistanis...As camp-dwellers they were not well-informed and didn’t know anything else...Some of them are illiterate. Because of that they were not able to understand the situation...Those that lived outside weren’t connected to this group, and couldn’t be misguided by them, so they didn’t have any of the problems (Shahid, ‘outsider’, 40, Saidpur).

While a few people in the camps still support the SPGRC (a following that has slowly diminished), interviews outside the camps repeatedly lay the blame at their door:



People who live inside the camps moulded them the wrong way and labelled them ‘Stranded Pakistani’...From my point of view (their disenfranchisement) was created by the leaders of Bihari (the SPGRC). They (the camp-dwellers) were political victims, they didn’t have much awareness and they suffered a lot. You know if a physician makes a mistake a patient will die. But if a politician makes a mistake it can make the whole community backward (Shakil, ‘outsider’, 20, Saidpur).

Expressions such as this are common, and hint at the narrative of ‘community’ discussed in the previous chapter. Those families whose social capital enabled them to remain outside the camps, who were educated and made the ‘right’ decisions, remained unconnected to the SPGRC and the aspiration of Pakistan. Here, in many ways, the discourse of ‘blame’ extends from the leadership, to the camp-population themselves:

If since the beginning Urdu-speakers had claimed themselves Bangladeshi not Pakistani it would all have been very friendly. But why would anyone help them if they consider themselves Pakistani? That’s Pakistan’s problem (Afsar, ‘outsider’, 26, Dhaka).

‘Considering’ yourself Pakistani, or ‘considering’ yourself Bangladeshi is, it seems, at the centre of the debate:

People in the camps are pro-Pakistani and see themselves as Stranded Pakistanis while those outside see themselves as Bangladeshi – so discrimination is to do with this (Afsar, ‘outsider’, 26, Dhaka).

According to Afsar, ‘Urdu-speakers’ who retained their houses adopted a Bangladeshi identity and this protected them from disenfranchisement. However, as Ali Reza explains, this security required more than just believing in Bangladesh; it required cultural and linguistic ‘integration’ (and the socio-economic capital to facilitate it) as well:

Camp-dwellers are very innocent. They have no connection to Pakistan, they came from India. Their fault is still some believe 'we are Pakistani'. We have explained many times that 'we are from India, the country who liberated this land, so I can claim a partnership after this Independence'. The fault was that they were speaking Urdu and Pakistanis speak Urdu, so this created a false link (Ali Reza, 'outsider', 44, Dhaka).

In the above quotation, 'camp-dwellers' speak Urdu, but those outside it seems do not. Many of those outside the camps have been conducting their lives in 'Bangla' for almost forty years. While this is something I will explore in greater detail in Chapter Six, Ali Reza's comments point to the degree to which linguistic 'integration' is implicated in processes of national acceptance. Disparities of economic and social capital and the opportunities for 'integration' it confers are, however, rarely part of the story.

### 'Insiders'

As Goffman (1968) argues, stigma theories are easily internalized. Notions of blame and responsibility were common among 'insiders' too, particularly the younger generations:

If I didn't identify myself as Stranded Pakistani, then nobody would call me that, the label would disappear. I am an Urdu-speaking Bangladeshi (Sajid, 'insider', 28, Dhaka).

Standards incorporated from wider society equip stigmatized individuals to be intimately alive to what others see as their failing. This inevitably causes some 'camp-dwellers' to agree that identifying with Pakistan has been the cause of their undoing. Some people certainly moved into the camps because they believed that from there they would be sent to Pakistan, and some in the camps therefore blame older members of the 'community' for decisions made at that time. For the older generation, emotional ties to the idea of Pakistan were undoubtedly strong, as was the sense of loss as those dreams fell apart.

While ‘allegiance to a foreign state’ on the part of the *entire* ‘camp community’ may be a legal leap, some had ‘collaborated’ with the Pakistani forces. Consequently, in the public imagination, a desire to be sent to Pakistan was enough to raise questions regarding the loyalty of all. Disentangling Pakistani sympathy from a desperate search for safety and the absence of alternatives is, however, clearly complicated:

Yusuf: There was no food, no security; we came to this camp to repatriate to Pakistan.

VR: Did you come only to repatriate to Pakistan?

Yusuf: I didn’t have anything I could do. I couldn’t give proper food to my children...We had no other choice at that time. If you had somewhere else to stay do you think you would have moved into the camp? If you knew any Bengalis or relatives, if they helped you at that time, then you never moved here (Yusuf, ‘insider’, around 75, Dhaka).

Agency, choice and blame overlap in murky ways. But for the majority of those who ended up in the camps once their houses were occupied there were few alternatives. As a prominent local figure who has remained inside the camps explained:

It is not prestigious to live in the camp. See we had our own house, we were not living in the camp before the War; we all had our own houses here in Mirpur. After the battle, international organisations put us in various camps for our security. Our home was occupied as was every little thing we had. After then we started camp life, sufferings began, we had nothing in these camps just after the battle. We made this a place for living with our own resources. 98% of the camp-dwellers are not able to move outside...They can’t either build their own house or get a rented house (Md. Akhtar, ‘insider’, around 40, Dhaka).

Obviously, any pro-Pakistani sentiment that may have existed before the war thrived under such conditions. Registration for Pakistan therefore represented both a desperate search for safety and the desire for belonging:

Of course those who ended up in the camps wanted to go to Pakistan, they had lost everything....That is the reason these people are exploited...People were scared to go out of their houses because there was news each day that someone went to

his office and was killed. This was another reason for registration to Pakistan (Md. Islam, 'outsider', 50+, Dhaka).

Pakistan and safety were in this sense one and the same thing. Some people left their houses for the protection of the camps assuming they would return once it was safe, but through the Abandoned Property Order of 1972, the dispossession of properties was legalised, and many people never returned home. As one interviewee observed, "my parents left their house during the war for their safety but were unable to get it back when they returned" (Shabnab, 'insider', 20, Dhaka). For some, decisions made then have divided families ever since:

We have relatives outside the camp too. They are in a good financial position so they don't communicate with us. They are not in touch with us. They always lived outside. They managed to keep their house safe as they told people during the war that they are Bengali. Both brothers (the interviewee's father and uncle) were in the same financial position. We had properties before liberation as well but my father was so hot-minded....In the year 71 he had beaten a freedom fighter. After that he left that place and never went back. He moved in the camp then for his safety, freedom fighters searched for him so many times to kill him. He had no particular interest to move to Pakistan, he always wanted to live in Bangladesh (Sajid, 'insider', 28, Dhaka).

Choices were influenced by circumstances, combining with the possibility of Pakistan in tenebrous ways:

My relatives (who live outside) were in a better financial position than my parents before the war, and they were aware about the situation. When my parents left their house they left their documents in the house so they couldn't claim the house back. Those that moved into the camp did so because the occupiers (of their houses) were powerful, and they saw it as a good chance to get to Pakistan...Those who carried on living outside were largely better educated, more aware, so they made better decisions (Shabnab, 'insider', 20, Dhaka).

As far as Shabnab is concerned money represented education and knowledge, and this was fundamental to the decisions made. But it was also fundamental to the choices

available to people. She tells us that people moved into the camps because they had little choice ('the occupiers were powerful'), and yet at the same time she clearly believes a lack of education or knowledge resulted in poor decisions. Education and political orientation (Pakistan/Bangladesh) are fused together in a narrative which above all privileges the innocence of illiterate 'camp-dwellers' in the making of their subsequent marginalization. It forms part of a much broader social discourse which combines 'isolationism' with 'illiteracy' and resulted in their failure to access education:

They ('camp-dwellers') have facilities such as schools but parents haven't been very interested in sending their children to school, they are interested to send them for work instead. They try to prevent their children from going to school because they think it is not needed for them. I think they're not interested to develop themselves (Najmal, 'outsider', 30ish, Saidpur).

According to this interpretation, the result has been dependence on the state. As

Najmal continues:

They aren't very much interested to move outside. They are waiting for relief in the camps. For a long time they have had lots of facilities for free and they have just got used to this...Here we've so many developments in this country, but they are trying to live in the camps to get relief. They excluded themselves from the mainstream...their level of improvement is lower as a result...(Najmal, 'outsider', 30ish, Saidpur).

The discourse of 'dependency' confirms responsibility:

If you want to change yourself you can. If you do not want to no one will come and change you. The camp-dwellers do not want to change themselves (Shabana, 26, outsider, Dhaka).

And as Delwar Malik argues, this 'dependency', this inability to change, is the cause of their discrimination:

Camp is no life, camp is no life. And I am still telling them, you come out of the camps then you will survive. Camp is not the answer. One must suffer and one must struggle for a better life. They must come out of the camp and struggle...camp you see is a separate society, this is not a healthy society. And this is also the cause of discrimination (Delwar Malik, 'outsider', 50+, Dhaka).

Why a narrative of 'blame' and 'responsibility' has become a 'standard version' (Malkki, 1995) through which the present situation of the camp-dwellers has been incorporated into the past (and the past has been inserted into the present) is of some significance here. It works not only to explain their inferiority or account for the danger they represent, but also to conceal the role of the state. In this way, as some informants argued, it functioned as part of a greater political ambition - to eliminate those in the camps altogether. According to Khalid Bholo below, 'illiteracy' and 'dependency' were cause *and* effect of state policies of exclusion and social deprivation:

They say that those in the camps are responsible for their situation because they haven't moved out of the camps, because they rely on Government hand-outs and because they haven't got education. But this is why they deprive them of all social facilities. This has been a strategy of the Bengali Government, to deprive camp people of education so that they would be no threat in the future, they would eventually die out (Khalid Bholo, 'outsider', around 60, Saidpur).

As Blom Hansen (1999) argues, fear of the *illiterate* masses was always crucial to the political imaginaries of the postcolonial world. Popular discourse has continued to feed off these imaginaries in the manufacturing of demonic 'others', which for some 'Urdu-speaking outsiders' draw a dividing line between 'us' and 'them'. Without the state intervening directly, structures of discrimination are legitimized, and according to Khalid Bholo, the problem is eventually removed.

### **Space and 'substantive' access**

Universality of the rights of the citizen may be the hallmark of the modern nation state, but this is universality of a very particular form. For some groups the crossing of certain linguistic and cultural boundaries plays heavily in the creation of political subjectivity and in certain contexts, the crossing of *physical* boundaries may be important too. Here in Bangladesh, living outside the camp is the preliminary condition for access to political space and it is through the spatially differentiated representation of citizenship that I will begin to examine the complex social processes through which political subjects are formed. Many ‘camp-dwellers’ tell the same story as Sajid above, of relatives ‘outside’ who retained a civil status while they became a ‘de facto stateless’ population. However, it is important to establish which particular ‘rights’ individuals have or have not been able to access, under what circumstances and by what means, in order to understand how differences manifest in space relate to broader processes of social and cultural ‘integration’.

The concept of citizenship is often understood as involving connections between rights, responsibilities, identity and participation (Delanty, 2000; Bloemraad, 2000). Debate raged in the 1970s and 1980s between liberal and communitarian notions of citizenship, but liberalism’s preoccupation with rights and responsibilities, and the field of rights in particular, has assumed the most attention. A formal and legally coded status is presumed to provide the opportunity for access to those ‘substantive’ rights but the ‘Bihari’ camps in Bangladesh reveal the opacity of (‘formal’) legal status, disrupting much conventional rhetoric. In investigating some of these processes as they are experienced by ‘Urdu-speakers’, the rights I have chosen to concentrate on represent those most commonly articulated by interviewees themselves. When asked which rights (‘odikhar’/ ‘huquq’/ ‘huque’) they felt they lacked and why, or the advantages/facilities (‘subidha’/ ‘shahulat’) and disadvantages/problems (‘osubidha’/ ‘pareshani’) of their position in comparison to

Bengalis and non-camp based ‘Urdu-speakers’<sup>52</sup>, voting rights, access to education, and access to employment were by far the most consistently indicated. The latter two are often regarded as ‘social rights’ which are sometimes criticised as policies or aspirations rather than rights per se, and not considered justiciable. The state’s duty in regard to social rights is sometimes seen as ambiguous although this argument has itself been fiercely rejected (Barak-Erez and Gross, 2008). The reality of social rights is that they are very often the rights on which life and livelihoods depend, and it is therefore not surprising that they were so frequently indicated.

### ‘Outsiders’

All the ‘Urdu-speaking outsiders’ I encountered considered themselves in possession of citizenship many years before the 2008 High Court ruling. The majority in fact, like Parvez below, believed themselves never to have lost their civil status:

I never asked for my rights from anyone. The Government gave them to me automatically. I have always had a passport and have travelled to Bangkok, Malaysia, India, Pakistan and Singapore....I have always been living outside that is why I got the facilities of a citizen (Parvez, ‘outsider’, around 50, Dhaka).

They were accepted into the nation in all substantive respects. In possession of the dominant ‘markers’ of such rights (passports) they have also had access to the right commonly understood as the most directly tied to ‘formal’ citizenship, and the most difficult to acquire - voter registration (Brubaker in Delanty, 2000)<sup>53</sup>:

People who live outside of the camp have been voters since the war but those who live inside have not been...Those who live outside they were getting every single facility...In 1974 lots of Urdu-speakers who lived outside got voting rights (Md. Akhtar, ‘insider’, around 40, Dhaka).



Mohammad Akhtar above held the year 1974 as significant, and he was not alone. A number of ‘outsiders’ suggested in fact that the mid 1970s marked a change in broader attitudes and acceptance. For some of those living outside, life improved noticeably around this time:

I have been a citizen since Liberation...I cast my vote in 1973<sup>54</sup>. We even organized a Moshaira (Urdu poetry recital) in the year 1974. We did it publicly. No one complained against it...I had no bad reaction from Bengalis – slowly they joined in...Then, after 1975 it was different, better (Parvez, ‘outsider’, 50+, Dhaka).

The change of behaviour Parvez describes, the ‘difference’ after 1975, coincides with the assassination of Sheikh Mujibur Rahman in August of that year. Ali Reza recounts something similar:

Gradually things became easier, three or four years after Liberation. Then I was able to start a business (Ali Reza, ‘outsider’, 44, Dhaka).

With passports and voting rights reclaimed, linguistic discrimination decreasing, and new businesses suddenly considered viable, doors it appears were opening for ‘Urdu-speaking outsiders’.

Some have suggested these developments reflect a period of change in the country marked by Mujib’s death. Considered a defining moment in the history of Bangladesh, his assassination in 1975 is thought to have heralded the re-emergence of ‘political Islam’ under civilianised military patriarchs such as General Ziaur Rahman (Zia) (1975-1981) (Roy, 2001). General Zia introduced Islam and a commitment to fostering international Islamic brotherhood into the constitution of Bangladesh and his successor President H.M.Ershad (1982-1990) declared Islam to be the state religion. Some suggest that the

failure of 'Mujibism' to alleviate poverty and restore law and order in the aftermath of war, floods and the famine of 1974, led to a gradual 'Islamization of the polity' which paved the way for the rise of various Islamic groups (Hashmi, 2004). One such group was Jamaat-i-Islami which, founded in Lahore in 1940, was banned in 1972 having been fiercely opposed to an independent Bangladesh. After the overthrow of the Mujib Government in the latter part of 1975 however, Jamaat emerged as a legitimate organisation in Bangladesh, and by 1991 it was the third largest party. It has been argued that through the 1980s and 1990s Islamism surfaced as a new political order and that since this time the major 'liberal democratic' parties of Bangladesh have been competing to prove their Islamic credentials. One example of this is the BNP decision to include Jamaat in its Four Party Alliance which won the elections of 2001 and formed a coalition government which held power until 2006 (Hashmi, 2004). As the previous chapter discussed, the religious conservatism of 'Urdu-speakers' in Bangladesh, and their links to Jamaat in particular, are central to the popular discourse that surrounds them. In light of these links, a re-positioning of Jamaat after Mujib's death would likely be accompanied by a re-positioning of 'Urdu-speakers' too. As the informants above suggest, this broader national transition may have had an effect that was directly felt by 'Urdu-speakers' at the time. In other words, specific and dynamic conditions of possibility in the political field (Blom Hansen, 1999) made possible a *re-positioning* of 'Urdu-speakers' within the ideological frames of the nation-state. The absence of similar data in conversations with 'insiders' is, however, revealing. The mid-1970s did not, it appears, signal the same advances for those in the camp.

Despite these developments, 'outsiders' believed there was one area in which the discrimination they had experienced in the immediate post-war period continued

unabated. Employment was no longer as difficult to access but, since the war, sought-after *Government* positions have not it seems been easy to acquire:

My job is an NGO job, not a Government job, so I had no problems getting it. But it would be impossible for me to get a Government job, just too difficult...Some of my family tried but failed. Government jobs are the only problem though (Sairun, 'outsider', 38, Saidpur).

Although I did come across a couple of 'outsiders' in Saidpur who had been able to retain government positions acquired before the War, I did not hear of anyone who had been able to obtain one since. And even for those already in post the difficulties involved were apparent. Mohammad Gulzar held a government position until his retirement in 2005 (although his father like many other 'Urdu-speakers' lost his job after the war). As he explained:

I was continued by the Government...I had sympathy from people I worked with. I was a very skilled member of staff also, that's why the government didn't want to lose me. I got personal sympathy from my Bengali friends (Md. Gulzar, 'outsider', around 60, Saidpur).

The explanation itself suggests that such good fortune was not necessarily typical. Others who lost their jobs, or had a harder time, explained some of the difficulties experienced:

I was able to keep my Government job at the time of war – it was very difficult to keep jobs then – but the administration was always chasing us, trying to move us to other places to get rid of us. After 1971 the railway employees faced great difficulties. Some became day labourers, rickshaw-pullers. It was very difficult to keep Government jobs after the war. I was a mason before 1971 and after I continued to do similar things (Md.Khalid, 'insider', 72, Saidpur).

The social capital that was fundamental in avoiding dispossession during the war was often equally important in retaining employment (governmental or not). One 'outsider' explained:

People who were better off at that time (1972) didn't choose the camp life. They settled in different localities. My father had better links at that time so he could move here...He had worked with Sheikh Mujib during the War and after, so there were no problems for him. The house in front used to belong to Mujib's family so they always had links with the family. My aunty was the childhood friend of (Sheikh) Hasina... (Jabuddin, 'outsider', 30-40, Dhaka).

### 'Insiders'

For those in the camps, Government jobs have been even more of a chimera. They were not even registered on voter lists until the 2009 election, as Zulekha explains:

I voted twice when I was in a rented house. When I moved into the camps I didn't have the right to cast my vote anymore, but now I have an ID card I can cast my vote for the first time again (Zulekha, 'insider', 48, Saidpur).

A range of further economic and social rights have also been difficult to access. In the words of the 2008 High Court ruling, "they are constantly denied the constitutional rights to job, education, accommodation, health and a decent life like other citizens of the country."<sup>55</sup>

Access to education and employment are thought by many to have represented the most compelling challenge, progress towards which has differed considerably. When I was conducting research in 2006/7 the inability to access education 'because of a camp address' was the issue most often articulated by camp-dwellers. Many people were denied admission into Government schools as, although no formal public statement had been made in this regard, by excluding them from the voter roll the Government's position had been made clear (a position that was no doubt internally communicated, if not publically released). Despite some inconsistency nationwide therefore the Education

Ministry largely treated those in the camps as non-citizens. The reality of ‘social rights’ such as education (and health) but also employment, is that they are very often shaped by administrative rather than constitutional law. As such even when citizenship is granted in the courts, as in the 2008 High Court ruling, ‘social rights’ can be curtailed by administrative and bureaucratic measures, and it is often this area that reflects the lack of real equality (Barak-Erez and Gross, 2008).

In the absence of a Government alternative, the fees charged by non-Government schools would normally be too high. The only options available to ‘camp-dwellers’ therefore were the limited number of NGO schools that had been set up to fill the gap. According to Refugees International (2008b), there are only ten of these schools in the 116 camps (and in the largest, Geneva camp, this leaves just one school to cater for a population of approximately 18,000). Imteaz below was interviewed in 2008 but, as a twenty-three year-old, his story is ten to fifteen years old:

Living outside the camp is a good opportunity for getting education and a better place to live...it’s like giving your address on applications, it (the camp) creates a barrier there. Once I went to a Government school and told the principal I was from the camp and he told me I couldn’t get into the school...so I went to an NGO school funded by Save the Children (Imteaz, ‘insider’, 23, Dhaka).

The relationship has always been complex, however, and for a number of years many ‘camp-dwellers’ were not interested in accessing education. Initially those committed to ‘repatriation’ believed that a Bangladeshi education would be worthless on arrival in their new home. As that dream diminished, poverty took over, constituting education as a luxury few could afford. Governmental refusal further instituted apathy, as Sumon explains:

When I was in school, children of my age weren't interested in going to school. There were few schools that would let them in at the time so lots of people didn't get education. Some of my friends applied for Government school but they weren't allowed...Biharis weren't allowed in Government school (Sumon, 'insider', 18, Saidpur).

As Refugees International adds, bullying within school may be another disincentive, as many are too scared to report incidences when they occur (Refugees International, 2008b). In other cases the education provided is not considered worth the sacrifice: "teachers go unpaid, children study in shifts and requests to the Minister of Education for new books are turned down" (Refugees International, 2008b, p.10). It is only in recent years, with the possibility of acceptance in Bangladesh that interest has grown. As one would expect, interest and access have self-reinforced. Almost everyone I spoke to on my return to Dhaka in September 2008 agreed that access to education, including Government education, had improved for those in the camps. This represented a significant development, and one in which the ID card is by no means immaterial. By 2009 all schools require ID cards for the admittance of Bengalis and 'Urdu-speakers' alike. By this time, thanks to the High Court ruling, all 'camp-dwellers' should have access to an ID card. This quotation represents a familiar narrative:

I got my ID card three or four months ago. It will give me passport facilities, help in admitting in school, help with birth registration process etc. It's very important for admitting children in school; you must show your ID card. In the past it was difficult but now it's much easier, we show our card and it's easy - for both Government and non-Government schools. Before it was a problem to admit children in Government schools but we went yesterday, they asked for my ID card and birth registration (Salima, 'insider', 40, Dhaka).

Access to employment appears to be a different story, however, slower to respond to the ruling, with informal discrimination that remains pervasive. Unsurprisingly, this is particularly the case in relation to Government jobs: "The problem is arising at the time of getting a Government job, if you disclosed you were Bihari you would still not be

allowed to get the job” (Khalid Bholo, ‘outsider’, around 50, Saidpur). As a result of these difficulties, a quota for Government jobs was seen by many as the only way of redressing deeply rooted, systemic inequality:

It is still very difficult to get a Government job. Before the High Court ruling it was labelled that we are Bihari and not citizens of Bangladesh...if Government thinks positively for us then things can change. Then we can get quota in the Government job. We will have a separate ministry for our affairs like the Chakma have<sup>56</sup> (Delwar, ‘insider’, 50, Saidpur).

Whether these problems are the result of institutionalised discrimination or educational disadvantage remains a little opaque, although a combination of both is likely. Salima’s remarks are representative of the ambiguity:

I don’t know anyone with a Government job...In general to have a job you have to be educated. If you’re educated it’s no problem...but you also have to show your (National ID) card. Before, just because you were living in the camp, if you were identified as from the camp, you wouldn’t be able to get a job in a private firm either (Salima, ‘insider’, 40, Dhaka).

Education, legal status, and settlement are interlinked and overlaid. It is not entirely clear from Salima’s words whether or not such problems refer to the past or the present (the interview was conducted in 2009), but the final sentence implies that the camp address still represents a ‘barrier’ regardless of an individual’s personal qualifications or attributes. Many agreed that it was in relation to Government jobs that the greatest problem was experienced but it is clear that in the camps these problems are not limited to Government employment alone:

You can’t get Government jobs living in the camp and some private jobs too – they ask so many questions and if you say you’re from the camp you can’t get the job (Md. Khalid, ‘insider’, 72, Saidpur).

The majority of ‘camp-dwellers’ are, consequently, forced to work in the informal economy, but even this isn’t easy. One interviewee noted, “It’s very difficult for the Biharis to get petty jobs” (Delwar, ‘insider’, 50, Saidpur). And another explained, “my children have problems getting jobs...it’s very difficult because we are camp-dwellers, people look down on you” (Amna, ‘insider’, 40, Saidpur). As the interviewee below added, problems may not be limited to finding jobs but surviving discrimination within them:

We are getting paid less money because we are living in the camp. This happens all the time, because we are valueless. If they want to give us a job they can, otherwise they say ‘no, no, we don’t have jobs for camp-dwellers’. People who live here they will earn hardly 100 taka (less than £1) for the whole day. We are working for them like a cow (Samida, ‘insider’, 40, Saidpur).

UNHCR’s Guiding Principles state that displaced people should not be discriminated against “in the enjoyment of rights and freedoms *on the ground that they are displaced*” (Brun, 2003; Muggah, 2003)<sup>57</sup> however for thirty six years residence in the camps effectively denied ‘camp-dwellers’ important rights of citizenship. With money, status and connections ‘Urdu-speakers’ outside the camps were able to physically and culturally integrate into Bengali society, through which they achieved the formal recognition of civil status. As someone ‘in between’ the two positions, with experience of both, concludes:

When you are in the camp you have no opportunity citizens have...(you) can’t get into school, or get a Commissioners Certificate<sup>58</sup> for a job. But outside the camp you always get these facilities (Shamama, ‘in between’, 38, Dhaka).

### **Claiming political subjectivity**



According to critics, while one can today be an environmental, sexual, cosmopolitan or consumer citizen, the absence of legal status, “makes these ostensibly new ways of being or becoming citizens flimsy, if not ineffective” (Isin and Nielsen, 2008, p.1). Legal status is considered the tangible, concrete, relationship between subjects that make it possible to mediate social relations through law; that which makes possible the articulation of needs as claims, and wrongs as injustices (Donald, 1996). However, this neat and tidy picture may be representative of the conceptual reification that has been accused of de-politicising or naturalising citizenship (Billig, 2003). It certainly does little to relate the reality of indeterminate, messy and mutable boundaries between legality and illegality presented here.

Since the roll-out of the National ID cards, and their distribution among ‘camp-dwellers’ in 2008, there has been on-going disagreement as to the perceived benefits. This debate will be explored at greater depth in the following chapter, but one of the things that surprised me most when I arrived in 2008 was the number of people who had ID cards and even passports long before the ruling. I was unaware in 2006 that the proportion of those in the camps, who were able to get hold of ID cards, and even passports in some cases, was so high. Prior to the ruling, camp residents simply used an outside address (normally that of a relative), and in relation to ID cards the process is apparently very straightforward. Passports have only been obtained by the more socially mobile camp residents, but the majority of interviewees, male in particular, had an ID card long before they were officially granted citizenship:

Yes I will vote in the upcoming election. I voted in the previous election, with a fake address. It’s very easy to hide your address and cast your vote... I have also had a passport for eleven years with which I have visited India ten or twelve times... The Police Special Branch investigates every application, whether or not the address is correct. I used the address of my relatives outside the camp so it was

real and I didn't have a problem, but if they had said no I would have had to bribe them 750taka. That was eleven years ago, now I would have to pay around 3,000 taka<sup>59</sup>, and if it's urgent you have to bribe them 6,000 taka! (Shamim, 'insider', 28, Dhaka)

Eleven years ago, 750 taka would have been something few in the camps could afford. The number of individuals who have gone to great lengths to obtain one illustrates its perceived value, not only in facilitating movement, or as documentary proof of status, but also in reinforcing a sense of belonging (Redclift, 2011). As became evident, it was not just ID cards and passports that were obtained surreptitiously:

(Before the ID cards) If we used a fake address we could get a bank account...but now we can do business legally, we can do everything more legally now (Md. Akhtar, 'insider', around 40, Dhaka).

One man I spoke to in Saidpur revealed that he was even able to get himself on the voter roll, simply by keeping the term 'camp' from his address:

I voted in the (2009) election. Before that I cast my vote in 1990...I went to the local commissioner's office and he said if you are a resident of Saidpur show me your school certificate. In the school certificate it said 'Niamodpur, Chamra Godam', that's what the area is called, so on the certificate it doesn't say the word 'camp' (the interviewee was living in Chamra Godam Camp). At that time I couldn't have got into school with a camp address. I felt very happy when I first voted. I felt proud. I felt I was a citizen of Bangladesh (Md.Majid, 'insider', 30, Saidpur).

In addition, as the interviewee below explains, with a bit of money broader discrimination can be circumvented:

I have had (a passport) for ten years. I applied for a passport at the Passport Office. The authority investigated my address, verified that and gave me the passport. I wrote my camp address on the form for the passport. Many people are getting passport...*but we have to manage the Police*, we gave them money (a bribe) for giving us a passport. Not only that six or seven people got Government jobs living

in the camps, with the support of the Police, but *obviously we have to manage Police and local administration* (Naim, 'insider', 60, Saidpur).

To my surprise, people who already had an ID card using a fake address have in some cases continued to use these rather than obtaining a 'real' one since the ruling:

Before the High Court ruling I had an ID card made anyway, with a fake address. I kept this one (rather than getting an official one after the ruling)...it seemed better (Mala, 'insider', around 34, Dhaka).

Why it was better was difficult to discern from this interviewee, but as others explained in areas such as employment a 'real' ID card, obtained using their actual (camp) address, could be more of a burden than a benefit:

VR: Why do you not have the camp address on your card?

Shamim: It's a friend's address. I think Geneva camp address would cause problems. If you went to get a passport, people would try not to give you the passport. Outside address is a valuable address, it's good for me to get jobs etc. (Shamim, 'insider', 28, Dhaka).

I applied for a couple of jobs but I haven't received an interview card yet. On our ID cards we have the camp address which makes it difficult to get jobs (Sajid, 'insider', 28, Dhaka).

A range of reports spread quickly through the camps about the advantages and disadvantages of the cards and opinions differed widely. Some emphasized the range of services that would soon be inaccessible without one, while others documented the discrimination that would occur if they were produced. Unsurprisingly, most camp-dwellers were confused.

Isin and Nielsen argue that citizenship needs to be investigated in a way that is irreducible to either (legal) status or (substantive) practice. Rather, it requires a focus on

those 'acts' when "subjects constitute themselves as citizens, or better still, as those to whom the rights to have rights is due" (2008, p. 2). Movement outside the camps, or the decision to acquire a 'fake' ID card, could both be seen as 'acts of citizenship' in the sense that they are about claiming rights, enacting oneself as a citizen. By re-articulating 'political space' in this way, individuals are making declarations generative of political subjectivity that challenges our understanding of political community. As Peter Nyers argues:

(The) identity conferred on (non-status migrants and refugees) is one that historically has been excluded from the political domain. Non-status people not only lack the full range of citizenship rights, but they are also denied the opportunity to express themselves as political beings...the problem is as much conceptual as it is legal: it turns on the fact that historically citizenship has been the identity through which claims to political being are enacted (2008, p.162).

Here in the camps, without formal recognition, political being has been enacted at a number of levels. Movement between physical spaces is one such example and the position of those 'in between', straddling relationships and influences, inside and out, is therefore particularly illuminating. Having moved into the camps at the time of war (some later, as money ran out), they have worked and saved to leave; clearly 'integration', in all its forms, is valued. Consequently, those 'in between' have employed a range of strategies to subvert their status, to become something else, and to be accepted by society.

As they navigate a complicated social world it is not surprising that attempts to distance themselves from the camps form a natural part of that process, or that this is at times expressed through the discourse of blame encountered earlier. Not only does this function to explain their superiority but it also forms part of a much larger social discourse which works to reinforce the danger 'camp-dwellers' represent. It highlights an

‘us’ and ‘them’ and as such underpins the declarations of political subjectivity movement represents. As the quotation below suggests, for those ‘in between’ movement outside the camps is about claiming more than just citizenship:

We moved from the camp 4 years ago...we get many advantages living outside, like voter ID, and an address that I can give freely to people...We got self-respect from others living outside (Tuni, ‘in between’, 27, Dhaka).

The relationship between the two - rights and respect - is murky terrain. Once that physical boundary is crossed, and status transgressed, a range of opportunities and relationships become available. In this example physical integration represents a route to rights and recognition, although it is not the only form of ‘integration’ through which ‘Urdu-speakers’ constitute themselves as political subjects:

(My husband) got his voter card in 1990. He was working in a market dominated by Bengalis and he registered himself as a voter with a fake address. It was through the connection with Bengalis that he was able to get the voter registration. He also campaigned on behalf of different political parties; he was quite involved in politics (Mala, ‘insider’, 34, Dhaka).

The search for some form of ‘integration’ is at the heart of both examples, although Mala articulates a process which is much more fluid. In her story social interaction with Bengalis, and relationship building, is a way of gaining the capital necessary to enact oneself as a political being. These forms of capital generation are largely the preserve of men which raises certain questions about assumptions foundational to citizenship that are often dependent on political engagement in the public sphere (Nyers and Rygiel, 2012). The quotation below demonstrates a further form of political negotiation to which women have limited access, highlighting again the gendered nature of assumptions about space that inform our understanding of citizenship. Circumvention, rather than ‘integration’, constitutes the ‘black way’:

In 1976 there was a repatriation from Chittagong. Government employees were taken to Pakistan. I accompanied them in a vessel. I took their stuff on my shoulders like a labourer and hid in the vessel's toilet for about twelve hours. I reached Pakistan and lived there for about forty days...I went to Pakistan several times through 'black way' without passport in 1980, 1984 and 1988...once through the border at Jallo and once through the border at Kashmir. At that time it was easy to cross the border if you pretended to be a farmer – with a knife and crops and in your hand...I went to India, Pakistan and Nepal without passport (Delwar, 'insider', 50, Saidpur).

Positioned at the interface, the experience of 'Urdu-speakers' requires us to ask how rights are taken and borders are crossed, and in doing so disturb some established rhetoric. Citizenship is more than a legal and political institution because it includes moments of political engagement when those lacking formal status, in effect practice that status (Isin, 2009). The strategies people use to cross these boundaries are assorted and interlinked. They occur in all areas of daily life, as negotiations are made and statuses subverted. Such 'acts of citizenship' deconstruct the duality of socio-political engagement, and emphasize the fluid and slippery reality of access. They demonstrate the need for a critical re-thinking of what it means to be political (Squire, 2011).

## **Conclusion**

Chatterjee (2004) has argued that, the negotiated instability that citizenship represents may be exaggerated in postcolonial space, and, indeed, the experiences of citizenship examined here are indicative of discourses and processes which were not ahistorically produced. Along with the colonial bifurcation of society which made the issue of legal status in India deeply ambiguous (Blom Hansen, 1999), the 'crafting' of citizenship was then a process that Partition and Liberation confirmed. Since 1972 Bangladesh's national project has not been static and, as the national project has been re-framed, the 'crafting'

of citizenship has continued too. The turn to a resolute 'Bangladeshi nationalism' in the mid-1970s represented shifts of emphasis between the country's 'secular Bengali identity' and a re-emerging 'Muslim consciousness' (Osmany, 1992). Indeed, my data suggests that as the ethnicised project of Liberation was confronted increasingly by the politics of religious unity, and the country's understanding of itself altered, the boundaries of the nation altered too. Life began to improve for those 'Urdu-speakers' *living outside*. With money, status and connections 'Urdu-speakers' outside the camps were able to physically and culturally integrate into Bengali society, through which they achieved the formal recognition of civil status. For thirty-six years residence in the camps effectively denied 'camp-dwellers' similar treatment. For them, excluded and subordinated, rights of citizenship remained 'officially' outside.

As I discovered, however, 'formal status' and official access were only part of the picture. The difference between having and not having citizenship is indistinct and traditional abstract theorisations of citizenship leave little room for these paradoxes. While it is true that the law will remain an important site in which to contest the borders and boundaries of the nation-state, citizenship is about more than citizenship law. My research shows that talking of citizenship as if it were a concrete and bounded construct, risks ignoring the much neglected social processes that include and exclude in subtle but often highly institutionalised ways. The fluidity of the relationship between processes of physical integration and access to rights of citizenship represents a bleeding together of social and legal frameworks which challenges our understanding of citizenship.

The work of Agamben (2005) has been adopted within critical migration and refugee studies to map the ways in which regimes of citizenship and immigration control in the West ensnare irregular migrants in the indeterminate space of the camp. It is a body of

work which draws our attention to the ambiguous grey zone neither inside nor outside the social and legal order, and Agamben has been described as the pre-eminent theorist of the interstitial (Walters, 2008). The ‘Bihari’ camp is nothing if not interstitial, however, the “pure, absolute and impassable biopolitical space” (Agamben, 1998, p.123) his paradigm paints does little justice to the dynamic and contested quality of citizenship illustrated here. As Ong (2006a) has argued, the space of citizenship is not one of singularity nor dichotomous opposition, but a shifting and flexible ensemble of heterogeneous calculations, choices and exceptions. In our desire to find definite breaks between the stable and the unstable we sometimes overlook the complicated accommodations, creative alliances and human tensions involved (Ong, 1999).

‘Statelessness’ should not be seen as an end-product in itself but a *condition* that subjects move in and out of, with varying degrees of difficulty and privilege and a range of risks and consequences (Nyers, 2011). Irregular migrants seek by and large to be regularized, and ‘stateless’ people very often seek the right to have rights too. ‘Formal’ status may not *always* be desirable, as the following chapter will reveal, but rights, mobility and belonging usually are. Here ‘Urdu-speakers’ are no exception and, in making those claims, they provide an insight into the meaning of citizenship and ‘statelessness’ and illuminate the “decentred and diffuse dynamics” (Stepputat, 2001, p.310) that characterise the creation of ‘political space’.

It has been argued that membership in the state grants one the status of a citizen, and membership in the ‘nation’ makes one a national. The principles of the nation-state, however, confound the two. The traditional ‘unitary’ model of citizenship assumes that the political and cultural spheres of membership are aligned so that every citizen is also part of the nation. As such, the individual’s membership in a political community is



dissolved into a collective ‘cultural’ identity, which for some still limits real substantive access (Yuval-Davis et al, 2005). In light of the High Court ruling, the ‘community’ of the camp may now be considered to fall within the state and yet, as the following chapter examines, still not be accepted within the domain of the nation. For those ‘camp-dwellers’ given citizenship in 2003, a ruling in the courts was not sufficient to guarantee ‘substantive’ access. How this will change in light of the 2008 ruling only time will tell. Examining gender, generation and social status, the chapter situates ‘camp-dwellers’ as diverse and heterogeneous agents in social space. In doing so it moves beyond notions of citizenship in its *acquisition*, to uncover the more informal *attitudes, imaginaries* and emotional *understandings*, lying beneath. In probing the subjectivity of citizenship, I will be asking how much one’s position within society influences the nature of the debate.

### **THE ‘SOCIAL FIELD OF CITIZENSHIP’ AND THE LANGUAGE OF RIGHTS**

No account of citizenship can ignore the fact that it was originally constituted in order to exclude, or evade the injustices of inequality that continue to be perpetrated in its name. However, as the previous chapter revealed, people cross the boundaries between acceptance and rejection daily, challenging those exclusions in multifarious ways. While little discussed in the citizenship literature, this uneven field of experience significantly impacts upon attitudes and understandings of the concept and this chapter will move away from process and acquisition to investigate those attitudes in understandings in greater depth. The ‘subjectivity of citizenship’ is an area of empirical and theoretical work that has only recently begun to be appreciated, a neglect that can be put down, in part, to an overwhelming emphasis in literature on activities of the state (Bloemraad, 2000). The state determines both the rules of entry into the collective (legal status) and the benefits associated with membership (rights), and many scholars either continue to stress the

## NOTES

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<sup>1</sup> There does seem to be an increased desire to buttress the international legal framework for the protection of 'stateless' people but this is a fairly recent development. In 2011, to mark the 50th anniversary of the 1961 Convention, UNHCR launched a campaign to promote accession to the treaties which boosted the number of state parties to 74 and 44 respectively. Bangladesh, unfortunately, has ratified neither.

<sup>2</sup> Article One of The Convention relating to the Status of 'stateless' Persons 1954, which was adopted on September 28<sup>th</sup>, under Economic and Social Council Resolution 526A (xviii) of 26<sup>th</sup> April 1954.

<sup>3</sup> A contention that has since been reconfigured in the contemporary moment (Soysal, 1994; Delanty, 2000).

<sup>4</sup> The term has been translated variously as 'religious migrant' or 'religious refugee' although a direct translation into English is not possible. 'Mohajir' does not imply the same notion of involuntary flight as the term 'refugee' and the concept can only be understood in the context of religious flight ('hijra'), central to Islam. The term was originally used to describe the followers of Mohammad who had converted to Islam and faced religious persecution in Medina. It has been used ever since in reference to Muslims who have migrated to preserve religious freedom.

<sup>5</sup> The Government did not even start collecting figures until April 1950 at which point political pressures may have distorted accuracy (Rahman and Van Schendel, 2004).

<sup>6</sup> In 1978 the All Pakistan Mohajir Student Organization (APMSO) was founded by Altaf Hussein to represent 'mohajir' concerns. In 1984 it evolved into the Mohajir Quami Movement (National Mohajir Movement), a liberal political party known for its mobilizing potential in Karachi. The party changed its name in 1997 to the Muttahida Quami Movement (United National Movement) and it remains the second largest party in the province of Sindh.

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- <sup>7</sup> As the Hindustan Times reported on the 19<sup>th</sup> September 1947, most Bengalis believed that the Punjabis had “stepped into the shoes of the outgoing masters”.
- <sup>8</sup> Much more could be said about this period, but it is not possible to go into detail here. For more information see Jahan (1972), Jalal, (1995), Van Schendel (2009) and others.
- <sup>9</sup> Although literally meaning ‘volunteer’, the term ‘razakar’ carries the meanings ‘traitor’/‘collaborator’ in everyday parlance and is therefore used as a term of abuse in reference to ‘Urdu-speakers’ in general.
- <sup>10</sup> Samila Bose’s recent revisionist history, which has attracted much controversy, argues that far fewer died than had been previously claimed. Numbers mattered then, and they matter now, but they are not the concern of this book. And whatever the number, they represent a loss of life that tore families apart and left an emerging country profoundly traumatized.
- <sup>11</sup> The Vested Property Act of the early years of Pakistan (reinforced in the promulgation of Enemy Property Custody and Registration Order of 1965) was not withdrawn with the creation of Bangladesh, but given a new lease of life. Properties belonging to ‘Biharis’ were occupied by the state using legal mechanisms designed to dispose of abandoned property, largely through the ‘Bangladesh Abandoned Property Order’ of 1972 (Paulsen, 2006). As Partha Ghosh (2004) argues, not only did this seriously disadvantage minority communities but it did nothing to help to ease old wounds.
- <sup>12</sup> Partha Ghosh (2004) estimates 83,000 under the Agreement of 1973, 108,000 under the Delhi Agreement of 9<sup>th</sup> April 1974, around 6,000 again in 1984 and 2,500 when Nawaz Sharif came to power in Pakistan in 1990, but figures vary widely.
- <sup>13</sup> Internally displaced persons have only been officially counted since 1982 and they have been considered a part of the ‘international displacement protection’ regime since 1998 when the Guiding Principles on Internal Displacement were adopted.
- <sup>14</sup> Spearheaded by groups such as Ain-o-Shalish Kendra (ASK) and supported by sections of the Academy (Chatterji, 2010).
- <sup>15</sup> *The Indian Emigres in Bangladesh: An objective analysis* (2003) by Ahmed Ilias.
- <sup>16</sup> Originally scheduled for January 2007 they were continually postponed by the Caretaker Government, finally taking place in an atmosphere of great drama almost two years later.
- <sup>17</sup> The polls in East Pakistan were originally scheduled for October 1970 but delayed until December and in some cases January 1971, due to severe flooding.
- <sup>18</sup> ‘Civil society’ is a contested term but it has been used here to refer to individuals involved in certain voluntary, civic and social institutions of relevance to the case.
- <sup>19</sup> This is discussed in greater detail elsewhere (Redclift, forthcoming).
- <sup>20</sup> How the mutual constitution of my ‘race’, class, nationality and gender affected the nature of interactions in the field and, consequently, the ‘data’ coded as ‘knowledge’, requires much more detailed discussion for which there is not space here. However, I consider how my own positionality may have mediated the accounts of interviewees, as well as the ethical and epistemological impact of the research assistant on the research process (including his political biography, and the implications of his ‘insider’ and ‘outsider’ status) in a forthcoming article (Redclift, forthcoming).
- <sup>21</sup> Pseudonyms have been used throughout for the purpose of anonymity.
- <sup>22</sup> One reason for the explosive interest in citizenship during the 1990s was its relationship to both sides of the liberal-communitarian philosophical debates; citizenship is intimately linked to individual entitlement (rights), as well as community attachment (identity) (Kymlicka and Norman, 1994).
- <sup>23</sup> Kymlicka has suggested that the difference between ‘ethnic’ and ‘civic’ conceptions of citizenship is not culture versus contract but closed culture that excludes versus open culture or national identity that allows ‘integration’. In the context of the arguments outlined above this is clearly an awkward position, assuming as it does a value-neutral, empty space called ‘civic citizenship’ to which everyone has access.
- <sup>24</sup> Carl Schmitt famously defined the ‘political exception’ as an extraordinary decision to depart from generalized political normativity to intervene in the logics of ruling and being ruled (Ong, 2006a). The term was also used by Giorgio Agamben in work which will be examined in more detail later.
- <sup>25</sup> For ‘post-national’ perspectives and ‘global citizenship’ see Soysal, 1994, Habermas, 1998, Urry 2000, Mann, 1993, Sassen, 1996, Held and McGrew, 2001, 2003, Hardt and Negri, 2000 among others.
- <sup>26</sup> As Samadjar argues, “requisitioning total history is a fact of nationalist life” (2002, p.3).
- <sup>27</sup> Although the precise relationship has been much contested (A. Smith, 1987; 1991; Gellner, 1983; Anderson, 1983).
- <sup>28</sup> I am using the term ‘postcolonial’ here to denote a (transitory and multiplicitous) “period in global time-space” (Rattansi, 1997, p.481), rather than in the sense of the term as a distinctive form of theorization and intellectual inquiry.
- <sup>29</sup> More accurately described as ‘neutrality in religion’ (Lewis, 2011).
- <sup>30</sup> Pakistani nationalism (of which the Urdu language was an important part) linked the authority of the state to a modernist interpretation of Islam that disavowed ethnic/regional solidarity seen as endangering

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Muslim unity. The popular imagination of the state today is still built on a-political, a-ethnic modernist notions of Islamic nationalism (Verkaaik, 2001).

<sup>31</sup> Distinguishable from 'ethnicity' which involves partaking of the social conditions of a group, within a context of difference to other groups, and always involves a political dimension (Anthias and Yuval-Davis, 1992).

<sup>32</sup> Despite the fact that "culture can also function like nature" (Balibar, 1991, p.22) rooting people in 'native places', culture too is of course not a closed or sealed entity, singular, regular or fixed but rather a multi-sited discursive zone of contestation and meaning (Gail Lewis, 2005).

<sup>33</sup> The use of both of these terms only in reference to minority groups, is an example of the way in the which they have been confounded in the context of debate and policy. As Fishman (1999) observes, the term 'ethnic' can actually be found in the Oxford English Dictionary as far back as 1470, defined as 'heathen, pagan, uncouth, neither Christian nor Jewish', and although its meaning has clearly changed, the use of 'ethnicity' only for 'minority groups' belies certain pejorative associations.

<sup>34</sup> Transnationalist scholarship's contribution to analysis of the 'single social experience' (Basch et al in Toyota, 2003) of identity construction has proved important.

<sup>35</sup> The numerous categorisations, 'typologies' and 'frameworks' since produced have resulted not only in the suggestion that 'real' diasporas exist alongside 'fakes' (or Clifford's 'semi-diasporas') but in the creation of 'entities' that emphasize coherence and objectivist measurement (Alexander, 2010).

<sup>36</sup> Language policy is crucial here, as what may be seen as a way of increasing belonging (i.e. indictments to integrate through language) effectively act to exclude from belonging those whose native language is not that of the state. Mother-tongues (to which memories, relationships and socialisations are often tied) may be disallowed in the name of belonging as the border-guards of culture define the boundary of the nation (Yuval-Davis et al, 2005).

<sup>37</sup> The Bangladesh census, however, first conducted in 1974, includes no separate category for 'Urdu-speakers' or 'Biharis'.

<sup>38</sup> The term 'Maowra' originates from Chandragupta Maurya who conquered Bihar (then 'Magadh') and founded the Maurya Dynasty between 321 and 297BC (Ilias, 2003). Today it is a term of abuse largely only used in reference to 'camp-dwellers'.

<sup>39</sup> A large Eastern Iranian ethno-linguistic group primarily located in Afghanistan and Pakistan.

<sup>40</sup> The punjabi is a long tunic worn by men which originates in the Punjab, and the salwar kameez is a tunic top paired with loose fitting trousers which is the national dress of Pakistan. Saris and lungis (wrap-around shorts worn by men) were traditionally associated with Bengal but distinctions have blurred somewhat as the salwar kameez is also popular among young Bengali women.

<sup>41</sup> In 2006 Dhaka's camp residents represented 89,899 of an estimated greater metropolitan population of over twelve million (Al Falah Bangladesh, 2006; Bangladesh Bureau of Statistics, 2008). Obviously including 'outsiders' the figure would be higher but, in relative terms, and in comparison with Saidpur, it is still very small.

<sup>42</sup> Simply meaning 'from' or 'of Dhaka'

<sup>43</sup> Some of the foods associated with 'Biharis' are also associated with 'Dhakay' communities, and 'Biharis' are known to visit the Old Town to eat in 'Dhakay' establishments.

<sup>44</sup> Some informants described the camp form as an accent ('lehza') but it would more accurately be described as a dialect or variety since differences occur at the level of lexis, grammar and pronunciation (Trudgill, 2009). It was often described by camp residents as 'broken Urdu' or 'futa futa Urdu'; a 'mixing language' ('mili juli vasha') that is rural in origin ('dehati vasha'/'dehati boli') and colloquial ('bolchal')

<sup>45</sup> A 'Stranded Pakistanis General Repatriation Committee' signboard has hung above the entrance to most camps since the mid-seventies. Such signs were not only a form of publicity for the SPGRC they also functioned to stake a claim over the space and its inhabitants.

<sup>46</sup> The government estimates that there are close to two million classified as so-called tribal people, encompassing more than fifty groups (Lewis, 2011). Other non-Bengali groups include the Khasis, Garos and Khajons of Mymensingh and Sylhet and the Santals, who are predominantly Hindu, and the Bediya, another marginalised Muslim minority sometimes known as 'river gypsies'. This is not to mention the three hundred thousand Rohingya Muslims who have fled Burma's Arakan province since the early 1990s seeking refuge in the south of Bangladesh in the wake of persecution by the Burmese military junta.

<sup>47</sup> Bangladesh is not a signatory. The country is not a signatory to any of the major international agreements on displaced people and it has not formulated domestic legislation for the protection of displaced people or even regional definitions of the 'refugee'. As a result there is often a conflict between ad hoc laws and practice (Ahmed et al, 2004).

<sup>48</sup> Bangladesh Citizenship (Temporary Provisions) Order, 1972 [Bangladesh], 149 of 1972, 26th March 1971, available at: <http://www.unhcr.org/refworld/docid/3ae6b51f10.html>. See also Pakistan Citizenship

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Act, 1951 (Bangladesh) [Bangladesh], II of 1951, 13 April 1951, available at:

<http://www.unhcr.org/refworld/docid/3ae6b52a8.html> [accessed 10 July 2009].

<sup>49</sup> The agreement is known as the Tripartite Agreement and was signed in New Delhi on the 9th April 1974, reviewing processes initiated by the Indo-Pak Agreement of the 28th August 1973.

<sup>50</sup> *Abid Khan and others v. Government of Bangladesh and others*, Writ Petition No. 3831 of 2001, Bangladesh: Supreme Court, 5 March 2003, available at:

<http://www.unhcr.org/refworld/docid/4a54bbcf0.html> [accessed 24 June 2011].

<sup>51</sup> ‘*Md. Sadaqat Khan (Fakku) and Others v. Chief Election Commissioner, Bangladesh Election Commission*’, Writ Petition No. 10129 of 2007, Bangladesh: Supreme Court, 18 May 2008, available at: <http://www.unhcr.org/refworld/docid/4a7c0c352.html> [accessed 10 July 2009].

<sup>52</sup> Words listed here include examples of Bengali and Urdu translations.

<sup>53</sup> Marshall argued in 1964 that a linear progression from civil rights (equality before the law) to political rights (universal suffrage) finally resulted in the granting of social rights (through employment). Many authors argue that the order has reversed and that today some basic civil rights and social rights are enjoyed by the majority of entrants to a country, and that the final rights granted are political because these are those enjoyed only by citizens (Bloemraad, 2000)

<sup>54</sup> March 1973 was the date of the first Presidential election, in which his citizenship would have been formally expressed.

<sup>55</sup> ‘*Md. Sadaqat Khan (Fakku) and Others v. Chief Election Commissioner, Bangladesh Election Commission*’, Writ Petition No. 10129 of 2007, Bangladesh: Supreme Court, 18 May 2008, available at: <http://www.unhcr.org/refworld/docid/4a7c0c352.html> [accessed 10 July 2009].

<sup>56</sup> The Chakmas, the Tripuras and Marmas are the indigenous groups in the Chittagong Hill Tracts (CHT) area of Southeastern Bangladesh. A long running armed conflict between the Bangladesh state and sections of these communities in the CHT has been moving towards a resolution in recent years and after the signing of a peace accord in 1997, a Ministry of Chittagong Hill Tracts Affairs was established in 1998.

<sup>57</sup> UNHCR Guiding Principles on Internal Displacement (U.N. Doc. E/CN.4/1998/53/Add2(1998), available at

<http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=47949b212&query=guiding%20principles%20IDPs> [accessed 8 November 2007].

<sup>58</sup> Commissioners are local representatives and a ‘commissioner’s certificate’ attests to your decent, law-abiding conduct and therefore your eligibility for employment.

<sup>59</sup> 3,000 taka was, for many camp dwellers in 2008, as much as one months wages.

<sup>60</sup> There is some NGO involvement in the camps but this is increasingly limited to micro-finance initiatives as the big internationals (such as the ICRC and Concern) have left.

<sup>61</sup> Members of the ‘Urdu-speaking community’ had filed a writ petition against the Settlement and Housing Department of the Government in 2002 (‘Writ Petition 702/2002’) to which the High Court had issued a stay order affirming that nothing could be done until the hearing could be held.

<sup>62</sup> ‘Huquq’ (Urdu) and ‘odikhar’ (Bengali) were both quite common in the camps. ‘Odikhar’ was also used outside the camps.

<sup>63</sup> ‘Shahulat’ in Urdu or ‘subidha’ in Bengali

<sup>64</sup> An issue discussed in greater detail in (Redclift, forthcoming).

<sup>65</sup> This may have originally been government housing for railway employees.

<sup>66</sup> As Skeggs (1997) observes, categorizations of ‘race’ have been interlocked with those of socio-economic status in other contexts through the generic definition of ‘dangerous classes’. Domestic servants in England for instance were often depicted through the racialised iconography of degradation – of contagion, promiscuity, immorality and savagery. See also Wray (2006).

<sup>67</sup> An Islamic festival in honour of the grandson of Mohammad.

<sup>68</sup> It is difficult to say whether the adoption of the salwar-kameez is part of a broader Islamic revival taking place in Bangladesh, but it is worth noting that the punjabi has not been similarly adopted.

<sup>69</sup> Mother Language Day recognises the students killed in Dhaka on the 21<sup>st</sup> February 1952 in protest against the institutionalisation of the Urdu language. It is a day therefore that celebrates the *replacement* of Urdu with Bengali and its institution as the language of state.

<sup>70</sup> During Moharram young Urdu-speaking boys are dressed as Hazrat Hussain. For three days of the festival they run through the city in his honour, redeeming their parents vows.

<sup>71</sup> The relationship between culture and religion is complicated further by the fact that Moharram is also a very important Shia festival.

<sup>72</sup> A ward is an administrative area smaller than a district or upazila but bigger than a mahalla or village. Dhaka division is divided into 549 wards, each with an elected Ward Commissioner.

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<sup>73</sup> ‘Md. Sadaqat Khan (Fakku) and Others v. Chief Election Commissioner, Bangladesh Election Commission’, Writ Petition No. 10129 of 2007, Bangladesh: Supreme Court, 18 May 2008, available at: <http://www.unhcr.org/refworld/docid/4a7c0c352.html> [accessed 10 July 2009].

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