



# Citizenship, abandonment and resistance in the India–Bangladesh borderland<sup>☆</sup>

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## ABSTRACT

Drawing on ethnography in the enclaves in India and Bangladesh, this paper explores a multifaceted yet enduring relationship between citizenship, abandonment and resistance. Following the partition in 1947, the enclave residents' citizenry was enacted like other Indian or Bangladeshi citizens' disregarding these enclaves' trans-territorial reality. This paper will demonstrate that enclave dwellers did not live in the 'citizenship gap', the difference between rights and benefits of citizenship, rather they lived without any citizenship rights. Life in these enclaves was highly complex and experiences in the enclaves challenge the usefulness of citizenship as a universal framework of analysis for the people who are ranked as citizen but never have it. In this context, a combination of the reverse conceptualisation such as citizenship and Agamben's conceptualisation of abandonment not only allows for these dimensions of lived experiences to be addressed and explored, it also focuses on the temporal aspect of citizenship implicated in politics. Finally, the paper calls for widening the consideration of the empirical study on everyday citizenship practices and experiences around the globe to extend and intensify the citizenship literatures.

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## 1. Introduction

Karim Hossain (aged 28) is standing at the edge of his agricultural land, which is also at the edge of the Indian border, Sheotikursha, inside Bangladesh (Fig. 1). Although legally he is Indian, there are just a few yards of between his land and the India–Bangladesh border that entirely disconnect him from his home country. Here, and throughout the paper, home country refers to the country to which an enclave belongs and of which it comprises a part whereas the host country means the surrounding country. Despite being an Indian citizen he is unable to visit and access any of his citizenship rights because of the international border. Such a territorial arrangement, a fragmented territory of one sovereign power located inside another sovereign territory, is conceptually and legally defined as an enclave. Following the decolonisation process in 1947, India and Pakistan/Bangladesh inherited 111 and 51 enclaves respectively, which comprise 80% of the world enclaves (Van Schendel, 2002). Accordingly, enclave dwellers citizenship was endorsed. Because of an enclave's trans-territorial location (the boundary pillar marks an enclave folk's spatio-legal identity), the enclave residents' life is intrinsically linked with the territorial

power of the concerned states. Since these enclaves are unadministered, Karim Hossain never received any of his citizenship rights.

Over the past sixty-seven years, the enclave exchange initiatives remained unsuccessful because of difficult bilateral relations, initially between India and Pakistan and later between India and Bangladesh. With improved bilateral relations, both countries officially exchanged the enclaves on 1 August 2015 and the enclave dwellers will gradually be granted citizenship rights over the next few years (see The Hindu, 13 June 2015). In this period of transition from statelessness to statehood, this paper can be read as a contemporary history from 1947 to 2015. From this context, this paper explores Karim Hossain and tens of thousands of enclave dwellers' sixty-seven years experiences of abandonment based on seven months of ethnographic research.

Korim Hossain, explained how he became completely disconnected from India despite his official status as an Indian citizen. In practice, a national identity card or passport is the formal proof of belonging to the political community in India and Bangladesh. Most of the enclave residents like Korim Hossain have no such document belonging to either nation-state. Thus they become undocumented people. The fenced international boundary and armed border guards restrict his mobility since he lacks proof of nationality. Every Indian is entitled to a ration card from his nearest administrative office upon completion of an application form accompanied by their birth certificate. This ration card is prerequisite for a voter card, possession of a passport and all citizenship

<sup>☆</sup> This research was carried out at the Department of Geography, Durham University, UK between 2008 and 2012. A follow up research was carried out between June 2014 and January 2015.

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**Fig. 1.** Karim Hussain standing at the edge of his enclave Sheetikursha in Bangladesh.

rights. The absence of formal administration in the enclaves deprives Karim Hussain from a birth certificate. Therefore he is also ineligible for a ration and voter card. He only holds land registration documents showing the land he owns is Indian but this is inadequate to claim education, medical, security or any other basic human rights. Given this fact, Karim Hussain has neither had the chance to cast his vote nor does he even know when elections take place. Similar procedures exist in Bangladesh; the national identity card is the basic document confirming political belonging to the state. The interplay between citizenship technologies, geographic isolation, and the politics of turning a blind eye on enclave realities anonymised Karim Hussain from his rights to citizenship.

Citizenship is generally described as participation in and membership of a state along with rights and responsibilities (Delanty, 1997; Lister, 1998). The enclave dwellers however are excluded from political participation, basic citizenship rights and public services as their citizenship is officially authorised by the home country but never been actualised. In this context, their everyday experience in the enclaves can be equated to abandonment to use Agamben's (1998) term, which can provide a distinct relationship between citizenship and abandonment shaped by political, spatial and legal factors. However, politico-legal actions by the involved states rarely establish short-lived state-citizen connections such as elements of political or civil rights for some enclave residents. In other words, there are moments of citizenship in the general experience of abandonment what I define as transient citizenship.

This article shows a framework of understanding citizenship–abandonment–resistance relations with the examples from ungoverned enclaves in Bangladesh and India. It makes three arguments about citizenship, abandonment and resistance. First, it challenges the usefulness of citizenship as a universal framework of analysis for the people like Karim Hussain who ranked as citizen but never have it. It shows the potential of Agamben's ideas to illuminate how people are abandoned, their rights and dignity are denied. Second, it demonstrates that citizenship and abandonment are not always oppositional, rather they often co-exist. Finally, the argument will be made that abandonment does not necessarily mean the end of all hope. Abandonment invokes resistance as 'concretely situated productive counter-practices' (Elliot, 2011:268). In contrast to Agamben's preoccupation with inoperativity, the paper will illustrate a situation when a communities resistance against abandonment appears to be able to end the dynamics of abandonment.

Methodologically, this paper is based on seven months ethnography in the enclaves located in India and Bangladesh. The field

research, which utilised a snowballing approach, was conducted by the author in 25 enclaves between October 2009 and April 2010. These research sites were selected based on the official statistics, newspaper reports, local journalists and researchers' knowledge and stories learned in the enclaves. Considering religious orientation, size, population and closeness to the border, six enclaves were then chosen for an in-depth ethnography. The ethnography involved intense participant observation at enclave-main land borders, tea stalls in the enclaves and women's social gatherings. Participant observation provided a general idea about everyday life in the enclaves and also provided context for conducting additional in-depth interviews. To understand individual experiences of abandonment, transient citizenship and views on citizenship aspirations, 55 in-depth interviews were conducted with the enclave residents. The ethnography was conducted in the local language of Bengali. The field notes and interviews were then transcribed by the author and crosschecked by two bilingual colleagues. To comprehend the recent citizenship struggles, six follow-up interviews were conducted with the protesters between June 2014 and January 2015.

This paper begins with a concise discussion on the historical background of these enclaves, citizenship provisions in India and Bangladesh and their impacts on the enclaves. The discussion then moves into the multidisciplinary debates on citizenship in Section 3. The final sections illustrate everyday abandonment in the enclaves, transient citizenship and citizenship struggles, respectively. These three empirical sections correspond to the key conceptual ideas employed in the paper—abandonment, citizenship and resistance. Everyday abandonment section illustrates mundane enclave life without any citizenship rights. It shows how the home country abandons their citizens living in the enclaves. Transient citizenship section describes moments of citizenship for some enclaves and/or some enclave residents while most of the enclave residents experience abandonment. And, the final empirical section extends the discussion to the coexistence of abandonment and resistance with examples of recent citizenship struggles in the enclaves' spaces. Thus, these three empirical sections will show a complicated condition when abandonment, citizenship and resistance co-exist. This paper concludes by arguing that citizenship literature needs more diversification to encapsulate on-ground complexities existing in different places across the globe.

## 2. State-citizen relations and the enclaves

Mughal and Cooch Behar kings' soldiers occupied each other's land during the wars and these small pieces of land acquired enclave status through the peace treaties of 1713 (Whyte, 2002; Majumder, 1965). All these small pieces of land, or the enclaves, became international following the decolonisation of India in 1947. This Bilateral antagonism between India and Pakistan and later between India and Bangladesh not only obstructed enclave exchange initiatives but also severely affected the enclave dwellers' communications with the main territory on either side of the border. Each country occasionally demanded full access to its own enclaves, but was unwilling to allow reciprocal access to the other. As a result, neither country made a serious attempt to extend administration to the enclaves locked in one another's territory (Karan, 1966; Van Schendel, 2002). It is also unclear how many people presently live in the enclaves. The official census conducted in 2011 cited that 51,000 people live in the enclaves (The Hindu, 2011a), while the previous research and local estimates identify 100,000 enclave residents (Whyte, 2002; Jones, 2009). The enclave residents can neither enter their mainland legally nor receive any state services. Hence, they are completely

dependent on the mercy of their host country in terms of access, economic opportunities, health and educational services. Until the recent declaration of exchange, Cooch Behar enclaves remained unadministered, disconnected from the home country by an international border, and devoid of any state facilities from either country (Whyte, 2002; Van Schendel, 2002; Jones, 2009).

Negotiations on the enclave exchange commenced in 1953. Two unsuccessful initiatives have been undertaken to resolve border disputes including enclave exchanges in 1958 and 1974 which were victims of domestic politics and unstable bilateral relations (see Bhasin, 2003; Appadorai, 1981; Whyte, 2002). The disagreement between the central and provincial government in India shows inconsistency, as Appadorai (1981:192) mentions the 'federal element in foreign policy decisions'. In many cases, the transfer of an enclave is considered as a loss of territory to an enemy Muslim state (Whyte, 2002). A combination of the above-mentioned factors keeps the enclave problem from being resolved for the last sixty-seven years. To break almost four decades of deadlock over border disputes, a third and recent initiative to resolve the enclave problem took place in September 2011, though it lacked any specific timeframe to accomplish the exchange (The New Age, 07 September 2011; The Hindu, 07 September 2011). After a few years of silence, the recently elected Bharatiya Janata Party (BJP) government in India has shown progress and optimism in developing a constitutional amendment to resolve the enclave problem (Joint Statement on the Third Meeting of the India–Bangladesh Joint Consultative Commission, 2014; The Times of India, 2014). Although uncertainty remained over the ratification of LBA in Indian parliament, it was unanimously passed in both houses of the Parliament. Clearing the path for the land transfer, Bangladesh Prime Minister Sheikh Hasina and her Indian counterpart Narendra Modi exchanged Instruments of Ratification of 1974 Land Boundary Agreement and its 2011 Protocol on 6 June 2015. Both the countries will now implement the Land Boundary Agreement (LBA) of 1974 and Protocol of 2011, in a phased manner over the next 11 months. Between July 31, 2015 and June 30, 2016, the entire process, including physical exchange of enclaves and land parcels in adverse possession along with boundary demarcation, will be completed, according to the letters exchanged between the two Foreign Secretaries during the Prime Minister's visit in Dhaka (The Hindu, 13 June 2015).

The Indian and Bangladeshi constitutions enshrine citizenship rights to all but never made it accessible in the enclaves. The preamble of the constitution of Bangladesh commits to guarantee economic, political, social and legal aspects of citizenship rights to all citizens. In a similar manner, Indian constitution promises seven fundamental rights to the citizen; such as the right to equality, right to freedom of speech, right to freedom of religion, rights to property, right against exploitation, cultural and educational rights and right to constitutional remedies. Besides the general promise of rights to equality, the constitutions declare 'no discrimination on the grounds of religion, race, cast, gender and place of birth and commit to improve disadvantaged citizens' situations' (Article 28, The Constitution of the People's Republic of Bangladesh; Article 15, The Constitution of India). Like many other modern states, Indian and Bangladeshi constitutions, thus, attach formal rights to their citizens and promise egalitarian society (Mittra and Kumar, 2003; Kannabiran, 2012). In practice, both the governments have taken special arrangements on education, employment and social facilities targeting disadvantaged groups and women. As a symbol of political belonging, both India and Bangladesh introduced national ID cards; and all the constitutional rights and special facilities to marginalised groups are conditioned to this practice of card holding. Crucially, however, the ID card-based citizenship has constructed the condition of suspended citizenship in the enclaves, which will be illustrated in the following

section. This is because the constitution and the citizenship policies are designed and evolved in a fashion of contiguous nation-state disregarding the existence of the enclaves. Therefore, every attempt that India or Bangladesh takes to unite their citizens yields a new form of exclusion to the enclaves and enclave dwellers. In contrast to the Indian and Bangladeshi constitutional promise of non-discrimination on citizen's geographic belonging in any part of the state's territory, citizenship has not been extended to these enclaves. The institutional dimension of *making* and *doing* of citizenship practices is missing in the enclaves.

The Cooch Behar enclaves' issues did not achieve due academic scrutiny until recently. The experiences and vulnerabilities of the enclaves' dwellers are generalised in some academic writing, however there is a distinction to make between the governed enclaves of Dahagram and Angorpota (D&A) and rest of the ungoverned enclaves in India and Bangladesh. The D&A enclaves are connected with the motherland Bangladesh that contain a small corridor since 1991. Between 1991 and 2011, these two enclaves had only daytime connections with Bangladesh since the corridor was closed at night. Since 2011 however these two enclaves have been connected with Bangladesh round-the-clock and function like a border town of Bangladesh with every citizenship facilities (see Ferdoush, 2014; Shewly, 2012; Cons, 2012, 2013, 2014). On the contrary, rest of the enclaves are ungoverned, kept out of any administrative activities, and most of dwellers have never received any citizenship rights (see Shewly, 2012, 2013; Jones, 2009; Whyte, 2002). This paper looks at these ungoverned enclaves located in India and Bangladesh. Literature is limited but focused on nationalism, identity and statelessness (Van Schendel, 2002), politics over enclave exchange (Karan, 1966; Whyte, 2002), sovereignty (Jones, 2009; Dunn and Cons, 2014), bare life and vulnerability (Shewly, 2013). However, the enclave dwellers lived experiences of abandonment, moments of citizenship, and recent citizenship struggles are not explicitly examined in the existing literature. This paper fills in that gap.

Scholars have studied these enclaves from the perspectives of statist views and geopolitics of keeping the enclave issue alive (see Karan, 1966; Majumder, 1965; Whyte, 2002; Cons, 2014). On the other hand, Van Schendel's (2002) unique piece on statelessness of the Indian and Bangladeshi enclaves pioneered academic attention on mundane enclave life. Through this, he challenged dominant discourses of the nation-state and nationalism in the space where the nation-state's territorial contiguity is in question. Territorial dis-contiguity and its impact on sovereignty practices are also central in Jones's (2009) account. Displaced sovereignty, as he aptly defines, challenges the traditional definition of sovereignty that includes the existence of the enclaves that undermine the conception of the 'unambiguous connection' of a sovereign territory.

Dunn and Cons (2014) also concentrated on sovereignty and conceptualised 'aleatory sovereignty' and 'sensitive spaces' with the examples of camp, enclaves and sensitivity of border guards along India–Bangladesh border. The argument made is that the concepts 'replace Agamben's monolithic power with a systematic accounting of how the iterative process of enacting sovereignty makes it fragile, unpredictable and haphazard' (2014:94). The central focus of this framework includes the process of enacting sovereignty, and competing projects of rule and governance (2014:95). The authors define 'sensitivity is a category of rule' (2014:97) and it applies to the people who live in 'legal barriers to have full citizenship' (2014:99), and whose life 'has become reasonably stable and predictable' (2014:97). Agamben's formulation of bare life has its limitations and I have argued elsewhere that Agamben underwrites the actual political complexities in which we live (Shewly, 2012, 2013). However, 'aleatory' sovereignty' is also inadequate to capture the complexities of real life and livelihoods of

undocumented enclave dwellers who live in ‘sovereign absence’ and whose citizenship and basic human rights have been suspended, basic human rights are uncertain and life is unstable.

Critic of Agamben also appears in [Cons \(2013\)](#) work on the D&A enclaves, and [Jones \(2012\)](#) paper on spaces of refusal. [Cons \(2013\)](#) argues mere focus on ‘vulnerability’ of the marginal groups through the lens of Agamben obscures some other significant aspects of their life. There are opportunities to consider a place and its people from multiple perspectives. My stand is that Agamben’s formulation of abandonment is a very powerful framework to explore certain people’s experiences in suspension of citizenship rights caused by state power as will be illustrated in this paper. Yet, this paper also argues that there are limitations in the framework of abandonment since it lacks hope and resistance. [Jones \(2012\)](#) shows, beyond the framework of bare life and the dominance-resistance binary, there are acts of refusal. Borderland people of India and Bangladesh develop ‘a multitude of strategies that acquiesce to, co-opt, transgress, and ignore both the sovereignty of the state and the violence regime of the border guards’ ([Jones, 2012:688](#)). Unlike such individual apolitical acts of refusal, this paper will also map out organised nonviolent citizenship struggles in the enclaves in both sides of the India–Bangladesh border that eventually helped create the conditions for a successful claim. Although existing literature generalises the situation in India and Bangladesh and mostly use examples focuses primarily on the enclaves in Bangladesh, this paper brings the complex scenario of life on both sides. In doing so, it argues abandonment, moments of citizenship and resistance do not live in opposition rather they often co-exist.

### 3. Coexistence of citizenship, abandonment and resistance

#### 3.1. Citizenship and abandonment

The ideal notion that citizenship grants equality amongst citizens of a political community is proved fallacious in practice as Derek Heater warns us ‘beneath this ideal lies a tangle of reservations and contradictions’ (1991:82). To understand such contradictions, scholars have studied formal and substantive rights of the citizens. This paper follows this notion. Formal citizenship refers to the ‘membership in a nation-state based on criteria of national belonging’ ([Holston, 1999:40](#)). It includes the rights approved by the constitution of a state such as the possession of a passport and rights to participate in the national election ([McFarlane, 2004](#)). On the other hand, substantive citizenship refers to the array of civil, political, social, economic and cultural rights people poses and exercise ([Brubaker, 1989; Holston, 1999](#)). Academic literatures on formal and substantive citizenship looks into gaps between formal and substantive rights as people generally have their formal citizenship rights (see [Lister, 1998; Holston, 1999; Delanty, 1997; McFarlane, 2004](#)). This paper however will demonstrate that most of the enclave residents’ do not live in the gaps between formal and substantive rights; individuals have rather been abandoned from both formal and substantive citizenship rights.

‘The problematic of post-colonial citizenship’ ([Samaddar, 2012:845](#)) brings a complicated situation. Most of the post-colonial states treat their citizens as subjects as a continuation of ‘colonial classificatory criteria’ ([Chatterjee, 2004:35](#); also see [Kannabiran, 2012](#)). [Chatterjee \(2004:37\)](#) argues, ‘caste and religion in India, ethnic groups in Southeast Asia and tribes in Africa remain the dominant criteria for identifying communities among the populations as objects of policy’. Similarly, [Inden](#) argues discrimination and marginalization is so embedded into the system that nation-state remains “ontologically and politically inaccessible to its

own citizens” (1990:197). Literature on citizenship in India and Bangladesh have shown absence of social citizenship for urban poor in squatter ([Das, 2011](#)), cast inequality and unfair urban labour market distribution ([Thorat and Attewell, 2007](#)), unjust citizenship during disaster relief distribution ([Chhotray, 2014](#)), social discrimination ([Kabeer, 2011](#)) and so on. As Roy rightly asserts that constitutional promises of equal citizenship in India mask the existing hierarchies of caste, class, sex, race and religion ([Roy, 2010](#)). It can be argued, therefore, that a complex politico-legal and institutional maze constructing “less-than-full-and-equal citizens of the places and societies in which they find themselves” ([Painter and Philo, 1995:116](#)). While the exclusionary citizenship debates surface the problems of unequal citizenship, the enclave dwellers circumstances suggest non-existence of any citizenship. As such it is symptomatic of ‘citizenship after orientalism is an unfinished project’ ([Isin, 2012:563](#)).

Identity documents are intrinsically linked in achieving both formal and substantive citizenship rights in South Asia in general and India in particular. This brings a complex landscape of citizenship and (il)legality. The city citizenship in India requires ration cards, electricity bills, rent receipt as a prerequisite to certain rights including housing, medical or educational facilities, ([Appadurai, 2002; McFarlane, 2004](#)). The lack of these documents turns many slum dwellers in Mumbai into ‘invisible citizens’, having negligible access to basic services ([Appadurai, 2002:35](#)). On the other hand, access to ration cards do not guarantee all citizenship rights since many of them can only exercise their voting rights.

While documented belonging to city is often harder for Indian urban poor, [Sadiq \(2009\)](#) shows many illegal immigrants from Bangladesh have ID cards and perform as Indian citizens. Raising the question about the permeability to the boundaries of citizenship and showing the importance of documents, [Sadiq \(2009\)](#) claims, ‘Immigrants may be illegal or unauthorised, but they are rarely undocumented’. However, most of the enclave dwellers are undocumented which restricts both their formal and substantive rights, which will be highlighted in the following section. In contrary to [Sadiq’s \(2009\)](#) argument on easy access to Indian citizenship and weak performance of borders, the enclave dwellers lived experience represents something otherwise. Worth mentioning here that more than 75% of the residents of the Bangladeshi enclaves in India have spent time in prisons after being arrested for violating the Foreigners’ Act for entering Indian territory without valid travel documents ([The Times of India, December, 07, 2014](#)). To make citizenship inaccessible to illegal immigrants and their children, India changes its citizenship laws in various times and introduced the Foreigners Act ([Joyal, 2013](#)). ‘Controlling the definition of citizenship in this manner arguably became a proxy for the state’s imperfect control over its own borders, as well as its ability to exact a secular loyalty from its citizens’ ([Joyal, 2013:81](#)).

The story of Karim Hossain epitomises that his citizenship rights were politically ignored by the home state keeping the enclave ungoverned. On a daily basis, enclave dwellers experience complete suspension of citizenship and as a result formal and substantive citizenship do not apply in practice. Therefore, citizenship as a framework of analysis is not helpful for explaining such experiences; rather abandonment ([Agamben, 1998](#)) is useful to understand their day-to-day survival and sufferings. Two important issues need to be considered here – (i) everyday life is tangled in two nation-states, (ii) there is not only absence of citizenship but also sufferings as illegal immigrants.

[Agamben’s \(1998, 2005\)](#) theoretical enterprise is based on three claims of sovereignty that include its: position above the law; full control over the suspension of the subject’s legal value and status; and construction of a space to accomplish all these activities. Thus, [Agamben](#) specifies, it is the sovereign power who decides a state of exception and takes hold over the life of the people and constructs



bare life in certain spaces. The ban or state of exception is a suspension of general rule (Agamben, 1998:17). The exception is taking outside, not simply excluded and the suspension of law does not mean its abolition (Agamben, 1998, 2005). Thus, he argues, the suspension of law is the elimination of a citizen's legal rights, not an exclusion from rights and such an act should not be considered the end of law but the decision of sovereign authority.

Here, I will precede a discussion with Agamben's (1998) key central theme: abandonment. Agamben (1998) defines abandonment as an active relational process that eliminates a citizen's political, legal and economic values. As such, since the people who are excluded from their rights are not excluded from the legal punishment, it is impossible to specify whether the abandoned person is inside or outside the juridical process (Mills, 2004). The process of abandonment keeps the territories out of the legal system and constructs bodies outside the protection of law. Although Agamben's initial articulation of abandonment was in relation to the World War II concentration camps, the contemporary relevance of the technology of abandonment includes enemy combatants or refusal to extend legal rights to immigrants (Pratt, 2005; Agamben, 2005). In the context of the enclaves, the home country acts as a sovereign power and abandons the enclave dwellers from all citizenship rights although the enclaves are legally part of the home country. Hence, the abandonment and desubjectification of the enclave people are not only political but also spatial (Pratt, 2005; Ek, 2006; Shewly, 2013).

### 3.2. Abandonment and resistance

In Agamben's political theory, the prospect of political resistance is bleak (see Agamben and Vacarme, 2004) although Agamben traces alternative possibilities and mentions about survivors. Group struggles/resistance in zones of abandonment is somewhat out of the question in Agamben's formulation as politics is absent in such spaces (see Agamben, 1998). Scholars have identified the inadequate consideration to struggle as a pessimistic scrutiny and weakness of Agamben's theorisation (Negri and Casarino, 2004; Negri, 2007) and shown resistance/struggle in the camps confinement (Edkins and Pin-Fat, 2005; Gregory, 2006). In this context, it is imperative to consider Prozorov's reading on inoperativity and pessimism. Engaging with the Agamben's work from the earliest writings onwards, Prozorov shows inoperativity is central to Agamben's thought on politics which leaves no space for resistance. Prozorov asserts, 'For Agamben, the way to bring things to the end consists not in the teleological fulfillment of a process of development (the end as completion or accomplishment) nor in the merely negative act of the destruction or elimination of an object (the end as termination or cessation). Instead, it is the process of becoming or rendering something inoperative, deactivating its functioning in the apparatus and making it available for free use (Prozorov, 2014:31)'.

Prozorov rightly argues that the central problem of Agamben's affirmative politics is his opposition to any kind of voluntarist project, which leaves him incapable to account for the process of the constitution of the political subject (Prozorov, 2014:08). Here, in this paper, it will be demonstrated how an inoperative community is able to turn themselves into political being by organising and continuing citizenship struggles across international borders and making their cause a success. Certainly, the dimensions of abandonment, citizenship and citizenship struggles bring a complex theoretical puzzle, but such a complex puzzle operates in the lived experiences of the enclave dwellers. Altogether, this reveals a complex relationship between abandonment, citizenship and resistance as will be further illustrated in the following sections.

## 4. Day-to-day abandonment in the enclaves

During my very first trip, I walked into enclave Karala but could not distinguish where the enclave-mainland border was. Unlike the India–Bangladesh border, no physical barrier exists between the enclave itself and the mainland. Impoverished border pillar exhibit the border marker but they are not always visible, sometimes missing. I only noticed the paved road ended abruptly and turned into a dirt-and-muddy pathway. Piyash Mondol, the enclave resident accompanying me, told me: 'this is the end of Indian territory and we are approaching the *chhit* (enclave)'. I did not come across any school, non-governmental organisation (NGO) banner, government office, police station, health centre, hospital, post office or bazaar in the enclave during my time there. Located a mere 200 hundred yards from the fenced off India–Bangladesh border, this enclave's residents return home well before dusk to avoid BSF's ID check procedures. At night, this enclave was very dark since it was without any electricity facility. Although any physical marker of border is unnoticeable, mundane enclave life is tied up with various types of border – legal/illegal, citizen/noncitizen, social and political. In an informal group discussion with 15 people in this *chhit*, I asked their views on life in an enclave. People replied,

Monir Alom (30): 'It is like living in a cage. Legally we cannot go out of my enclave and enter India without visa...'

Tuton Bormon (20): 'Indians achieved freedom after 1947 partition but we became enclave-locked and stateless ever since. If we are caught by border guard or police in India, we will be imprisoned for two years for illegal intrusion'.

Roma Das (35): 'We live like we do not exist. We always try to represent ourselves as Indians and unlawfully visit nearby Indian shops, bazaar, haat, hospital for our living'.

Alim Mia (45): 'We live on our own – construct our own roads, support each other, never fight with Indian neighbours even if they are bad with us.'

At the end of two hours long discussion, 60 year old Korim Ali, told me, 'neither government takes any care of us. Land registration, land records, administration, education and medical facilities are out of our hands. We are living like foxes in a jungle!'

Above-mentioned frustrations of these people provide an indication of the experience of enclave life. They repeatedly complained that their government has forgotten them and the enclaves. During our discussions, questions about development activities and postal service amazed the enclave dwellers and their responses astonished me. Roma Das replied, 'There is no police to ensure rule of law, let alone postman! If I kill you now, there is nobody to rescue you.' There was nervous laughter all round, expressive of the absurdity of security situation in the enclaves. During my ethnography in the enclaves in Bangladesh, Border Guard of Bangladesh (BGB) officials also notified their incapability to enter inside foreign territory to rescue me if I were in danger.

Civil rights, equality before the law, freedom of speech, the right to own property and the right to justice, are foreign to the enclave folks when there is no law-enforcing agency in the enclaves; as such reflected in Utpal Mandal's (aged 35, male, interviewed in an enclave in India on 25 March 2010) provocative assertion when I asked him about the security situation in the enclaves:

If any enclave resident kills another fellow, Indian police will not interfere in foreign affairs and Bangladesh police cannot or will not continue an investigation across international borders. If any Indian kills an enclave resident in the enclave or vice versa, Indian police have no authority to conduct a homicide investigation in this foreign territory. No one from this enclave can cross the border to file a murder case in Bangladesh. Even if

someone does, Bangladesh police cannot file a case against Indian citizen. This is a law-free zone.

Utpal Mandal's insight about exteriority to the laws indicates nonexistence of entitlements to civil rights and vulnerability of lawlessness. Two legal regimes are entangled in the enclaves' spaces and produce a 'law-free' or lawless zone. A former Member of Parliament explains such lawlessness as the 'rule of jungle' (Roy Pradhan, 1995). In addition to the absence of law to protect enclave residents, they are victims of the border guards' unlawful invasion and torture (Mustafa, 2010; Shengupta, 2010; Jones, 2009a; Shewly, 2013; Anandabazar Patrika, 2015). According to an Anonymous eyewitness (aged 20, male, enclave A, interviewed 12 January 2015), "A BSF (Border Security Force) van entered the enclave. Suddenly, ten or more BSF soldiers encircled Rafiqul Islam and started to beat him with sticks. He fell off, screamed but they did not stop beating. He became unconscious after a while, blood all over his body. The soldiers then left the enclave without explaining their brutality!"

During my participant observation, I often found enclave children working in the agricultural land. When I was in enclave in Bangladesh, I asked one of these children if they went to school? Polash (aged 10/12) replied, 'I started school but Bangladeshi parents complained and the school removed me. My brother completed school without any problem but never got a job. We both now work in my father's land. What is the benefit of studying, then?' The enclave students are generally removed from school as they are not entitled to study and work in the host country. I met Himel Barmon (aged 30) in *chhit* Poaturkuthi in India, who bribed the local Panchayet Pradhan to get an Indian birth certificate for his son. A birth certificate is a prerequisite for enrolment to Indian schools. Enclave parents use their Indian relative's name and address as official parents in such a case. However, Himel Barmon's son only completed fifth grade and the school authority removed his studentship. Such educational fate is very common in the enclaves. Some parents give up at this stage while others have been known to send their children to other schools.

The absence of ID cards appeared to be the most imminent issue in every discussion and interview with the enclave dwellers on either side of the border. Mobility did not emerge as a problem for the enclave dwellers in Bangladesh but it posed a serious concern for dwellers in India. In this case, respondents stressed the complexity of the journey outside the enclave either to visit family living in India or to do necessary work in Cooch Behar or other parts of the country. 'There is always a concern to be caught by the security forces', Tutun Bormon mentioned during my initial informal group discussion. Security forces do not consider enclave residents' mobility necessities rather they strictly apply the Indian Foreigner's Act on the vulnerable enclave dwellers' and detain them as illegal immigrants for two years (see Shewly, 2013).

In the context of enclaves in India, securing a temporary fake voter ID is the most preferred tactic to ease the mobility barrier in the host country. Generally, enclave residents are apprehensive of travelling a long way from the enclave if they do not have fake national ID card, although some greatly disadvantaged or brave people try their luck to move to other parts of India. Such arrangements provide a win-win situation for the local political elites and the enclave residents. Korimon bibi's (aged 30, female, interviewed on 01 November, 2009) story clarified,

'I am the only earning member for my two children since my husband's demise. Like everybody else, I wanted to work in Delhi to earn a better wage but it is too risky to do that without a voter card. My distant cousin, who is Indian and a Congress activist, managed to get me a voter card with a fake address and fake name. I paid him 4000 Rupees along with the promise

to vote for Congress. This voter card is unusable to claim subsidised goods as the authority might catch me but it can save me from imprisonment under the foreigner's act. In return, I vote Congress. There is always a risk to be caught as other party activists might inform the election commission. Then, I have nothing left again! However, I am still lucky to have a voter card for five years.'

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

Enclave residents also need to know borderland updates for their daily illegal mobilities across enclave-mainland border. As I walked closer to the border and initiated conversations at tea-stalls in local bazzars, I learnt a great deal about which border/checkpoint is easier to cross than others. This is central for when enclave dwellers want buy or sell their lands and they need to cross India–Bangladesh border for land registration purposes.

The account of the enclave residents' everyday abandonment in this section is one of elimination of citizenship and human rights, seclusion, chronic mistreatment and pain. This section has shown how the enclave dwellers citizenship rights have been whittled down by the spatio-juridical logic of their home country. Thus, law, institutional practices and geo-administrative remoteness construct abandonment complicating inside/outside logic of citizenship. On the other hand, citizenship is inaccessible in the enclaves because the geography of citizenship is not extended to these places. These twin legal paradoxes limit enclave people from having any rights. The abandonment of citizenship illustrated in this section reflects the construction of a human condition when they are kept outside the law and other rights to citizenship (Agamben, 1998, 2005). However, it would be a mistake to suggest that enclave residents are simply passive victims of the state power. On the contrary, they have actively sought to circumvent citizenship obstacles using different legal/illegal tactics as the next section will point out.

## 5. Bilateral politics, legality and transient citizenship

The twist and turns of India–Pakistan/Bangladesh relations are vigorously reflected in the borderland in terms of flexible/strict border control (Whyte, 2002; Van Schendel, 2005) and handling of the enclave residents' citizenship. There are moments when bilateral politics directly or passively provide certain aspects of citizenship rights to individual enclave residents or to an entire enclave. I define such occasional state–citizen relations as transient citizenship, which manifests the changing nature of citizenship rights over time. While this situates some people in a privileged position through the construction of politico-temporal subjectivity, other enclaves and enclave dwellers continue to live in abandonment. In this consideration, the enclave dwellers live in different but overlapping temporal traces (Shapiro, 2000).

For example, the Mashaldanga enclave in India intermittently becomes victim and beneficiary of fluctuating bilateral relations largely due its proximity to the Indo-Bangladesh border. For this reason, enclave residents are well connected with their home country through formal and informal connections with the border guards and local administration. Since partition, India–Pakistan hostile relations and communal victimisation have severely affected Mashaldanga. The leftist political groups in India torched the entire enclave in 1965 and forced all enclave residents to flee from India. Enclave residents took an emergency exit to East Pakistan (Whyte, 2002). On the brink of India–Pakistan war, these enclave residents were considered as repatriates and received emergency shelters in refugee camps until the independence of Bangladesh (field note, 04 March 2010). Immediately after Bangladesh's independence, Bangladesh and India commenced friendly relations through a friendship treaty and two trade agreements. During these friendly relations Bangladesh sent residents back to the enclave. Participant observation with the Mashaldanga residents that took shelter in Bangladesh revealed that the Indian government financially supported enclave residents to rebuild their houses.

The friendly relations between India and Bangladesh after Bangladesh's independence provided an opportunity for the borderland people to cross the border freely, as articulated by almost all respondents in the study areas (see Van Schendel, 2005; Cons, 2012). This open border provided an opportunity for the Mashaldanga enclave to establish a formal administrative connection with the home state. It is worth mentioning that this was the only enclave amongst the study sites that was able to establish administrative connections. Monir Member (aged 65) was elected as chairman in a Bangladeshi *Word* election in 1973. *Word* is the lowest administrative unit in Bangladesh and representatives are chosen through election. Monir Member administered a Bangladeshi *Word* staying in the enclave and brought subsidised government items into the enclave, being a public representative (Monir Member, aged, 65, interviewed on 05 March 2010). Monir achieved his political rights to citizenship and brought forms for formal and social rights to some other enclave residents in Moshaldanga. It is a remarkable case of trans-territorial administrative activities defying the legal norms of international mobility across the border. Neither country's border guards obstructed them from running cross-border election campaigns, casting votes in Bangladesh or Monir Member's activity as an elected member of a Bangladeshi *Word*.

On 15 August 1975, the assassination of the then President of Bangladesh and the protagonist of the Awami League (AL), Sheikh Mujibur Rahman, in a military coup caused antagonistic Bangladesh–India relations (Bhasin, 2003; Lifschultz, 1979; Hossain, 1981). These big developments in the bilateral relations have had several local ramifications. The border became more heavily guarded and informal cross border connections were discontinued (Van Schendel, 2005). Consequently, Monir Member failed to continue his political career and all the Mashaldanga people lost their connections to their homeland. Monir Member re-established the old connection with Bangladesh later and became chairman again; however it was not successful since the border has never been as open as it was immediately following Bangladesh's establishment as a nation. Mashaldanga was re-attacked in May 2000 and people fled to Bangladesh following an incident of an inter-religious romance story in a neighbouring Indian village: a Hindu woman and Muslim man had got married and ran away home. The rumour of their shelter in Mashaldanga triggered violent attacks on residents in the enclave. 50 Bangladeshi women were molested, 50 houses were burnt to ashes, over a hundred cows and goats were stolen and 15 people were injured by bullets (The Independent, 23 May, 2000). This time more than 400 people took emergency

refugee shelter in Bangladesh where the case received wider media coverage (Van Schendel, 2002). Monir was one of those refugees and he claims that they were forcefully sent back home after two weeks although security concerns in the enclave remained high. Monir argues that the Bangladesh government at the time did not want to embarrass India immediately before their national election and therefore abandoned the cause to ensure positive relations with India. The temporalities of transient citizenship in the Mashaldanga were shaped and reshaped by local influence of Indian and Bangladeshi foreign policy in which the politics of the border has had a signifier affect.

Transient citizenship is also used as an instrument to embarrass neighbours in a hostile environment. India–Bangladesh relations reached a nadir and diplomatic ties were discontinued immediately after the attacks of September 11th when the right wing parties formed government in both the countries (Sikri, 2006; Singh, 2009; Jones, 2009). During these difficult relations, a judicial trial of a murder in Bangladeshi court caused political tensions surrounding the Lotamari enclave. Bangladeshi police filed a homicide case against six Indian enclave dwellers for murdering a Bangladeshi national, Mir Ahmed. The case was complicated since the murdered man was also an enclave dweller. Ali Akbar claimed that he and other five enclave residents repeatedly informed the police that they were Indian enclave residents but the police transferred the case to the court (Ali Akbar, aged 27, interviewed in an Indian enclave on 15 November, 2009). Seemingly, local police filed the case based on political motive. All of the six accused fled to India while on bail. He, then, appealed to local Indian administration asking, 'Whether a Bangladeshi court could try on Indian citizen?' Indian newspapers highlighted the issue as the Bangladeshi ruling party filed the case to harass Indian citizens (Uttarbanga Sambad, 29 July, 2004). The case was finally withdrawn after the Indian local administration's legal challenge on this judicial trial. While the media and administration stressed the illegal actions of Bangladesh in prosecuting Indian citizens, there was no attempt to resume a homicide investigation from the Indian side. It is ambiguous whether Akbar Ali's release from any homicide trial through a political passage rather than a legal process provided him with civil rights, but the killed man was denied justice. This suggests the political use of the story in hostile relations rather than considering the safety of life of citizens. The story resonates with Utpal Mandal's remark – 'we are in a law-free zone'. This glimpse of citizenship does not reduce the lawlessness of abandonment in the enclave.

In contrast with abandonment, transient citizenship signifies political attention, geographic connection and legal inclusion through quasi-legal methods. Therefore, it provides valuable insights into the processes, practices and relations of the involved states constructing the temporalities of citizenship in the enclaves. The stories presented here suggest that transient citizenship is a short-lived product of state politics and the dualism of law. Both states define their citizenry as an asset and property (Nyers, 2011) but it also demonstrates that citizenship not only changes geographically but also temporally. And, the temporalities of the experiences of abandonment and transient citizenship are politically constructed. The following section examines co-existence of resistance and abandonment.

## 6. Citizenship struggles in the enclaves

Since 2010 a new space of political struggles emerged in the enclaves demanding the host country's citizenship under the leadership of an Indian civil society organisation, the India–Bangladesh Enclave Exchange Co-ordination Committee (IBEECC). IBEECC speaks on behalf of the enclave residents, organises events,



manages finance and mobilises enclave residents. Non-violent activities such as the symbolic merger with the host country, peaceful rallies, hunger strikes and the tactical use of the law are methods for claiming citizenship in the host country. These political acts are, in effect, subverting the host country's mundane sovereign measures and ignoring the home country's sovereign authority over the enclaves.

The first phase of this political struggle makes a symbolic merger with the host country by flying Indian flag in some Bangladeshi enclaves on the Republic day of India; and by flying Bangladeshi flag in some Indian enclaves on the International Mother Language Day on 21 February. Imran Mia (aged 45, field note, 03 March, 2010) explained their excitement, 'we flew the Indian flag, sang the Indian national anthem and declared ourselves Indian!' This is was the moment when Imran Mia and other enclave residents became political. In Isin's (2002) words, this is was the moment when enclave residents became publicly capable of claimed their rights and identity. However, the incident was not newsworthy in either country. As such, while the first phase failed to bring success, the IBEECC took the struggle to the Indian mainland so as to provide a new site for political engagement (see Fig. 2). It brought thousands of enclave dwellers in Cooch Behar district to a political gathering of the State Minister, Buddhha Dev. For the first time they walked through the town without hiding their enclave identity. Although, it embarrassed the State Minister in front of the opposition, the IBEECC achieved advertising success. The BJP criticised the State Minister by claiming that, 'the Minister created an overwhelming crowd with the admittance of Bangladeshi people' (Uttarbanga Sambad, February 13, 2010). The remark stands demonstrates the sensitivity of the issue in Indian politics. Remarkably, security forces did not barricade enclave residents' movement within the town and overlooked allowing the undocumented foreigners to impose themselves onto the political scene.

Besides the occasional taking of the street to raise awareness on their lack of citizenship, IBEECC tactically uses legal grounds to stay visible in the media. It cleverly picked up Maimana Khatun, an Indian woman who married to an enclave resident, to contest a West Bengal election. She was chosen specifically since she has the full legal rights to contest the Indian national election (Indian Citizenship Act, 2003) however in practice, women married to enclave residents lose their citizenship rights. The *Times of India* highlighted the issue as the 'fight of the non-citizens', since residents of the Bangladeshi enclave nominated their own candidate from the Dinhata constituency (Mandal, 2011). Yet still, it was the IBEECC's ultimate goal was to be visible through media coverage, as such it was a success in this regard.



Fig. 2. IBEECC's rally to the District Magistrate office, Cooch Behar.

The most successful political action was a month long 'hunger strike until death' in March 2012 in both Indian and Bangladeshi enclaves. This hunger strike marked sixty-five years of non-citizenship by enclave residents who were over sixty-five years of age. The IBEECC wanted to draw media, public and government attention for an early exchange of the enclaves (Uttarbanga Sambad, March, 20, 2012). This headline-grabbing event earned Bangladeshi and Indian popular support on the cause when some strikers were hospitalised and in critical condition (Daily Prothom Alo, March, 28, 2012). The strike was called off on the Bangladesh side when the local MP promised to comply. The political action from the hunger strike therefore opened a window into broader political consequences by providing access to new pressure and campaign groups (McGregor, 2011). In addition to raise issues of non-citizenship, IBEECC launched an anti-narcotic campaign in the enclaves, an illicit business run by the influential citizens of the host country (Sengupta, 2014). With these activities, the IBEECC secured a network of wider support by involving other civil society organisations and political parties.

Unlike illegal immigrants demand to regularise them, enclave dwellers struggles wanted early implementation of the enclave exchange agreement. Implementation of the land boundary agreement can determine the enclave territory's future in a host country and citizenship choice for the people living in those enclaves. It is not only the citizenship of the people but also cessation and accession of territory. This struggle was to raise a moral plea amongst the government and people of both India and Bangladesh. The methods are significant here—making a humanitarian cause and gaining sympathy amongst the people through their peaceful and co-ordinated efforts in both sides of the border. Significantly, however, none the resistance actions in the host country's territory was conducted without authorisation of local administration.

With the recent initiatives to exchange the enclaves, IBEECC achieves success after five years of struggles. Until the recent declaration of the exchange IBEECC's actions did not change enclave residences' daily experiences of abandonment. IBEECC consider their success is to keep the issue visible in India and achieving Indian government's attention (Sengupta, 2014). Besides, these protests dissolved some neighbourhood dominance and exploitation in their daily life. The main success of IBEECC's activities is having made these individuals politically active by providing them with the consciousness and strength to become political subjects despite their lack of citizen status. Similarly, these people carry the force of protest against dominance by breaching the etiquette of power relations and breaking the silence and tolerance of ill treatment.

## 7. Conclusion

All the empirical examples presented in this paper collectively bring a rich picture of the lived experiences of abandonment, transient citizenship and resistance. Engaging with Agamben's (1998) concept of abandonment alongside the citizenship literature, this paper portrays moments of citizenship in the zone of abandonment constructed by multiple interactions of politics, geography and law. Considered together, they show a complex and problematic notion where citizenship, abandonment and resistance co-exist. In doing so, this paper not only shows a complicated terrain of life but also sheds light on the temperamental nature of state's territorial reach and citizens' belonging. Instead of a straightforward relationship between citizenship and territory, these paper shows the enclaves are examples of highly complex one that is rife with paradoxes.

Beyond a framework of understanding citizenship–abandonment–resistance relations, each section separately contributes to



the wider literature. First, the day-to-day abandonment section profoundly challenges citizenship as a framework of analysis in describing the enclave dwellers' day-to-day suspension of citizenship. Heater (1999) terms citizenship as a 'hollow concept'. The debate of hollowness might work in context where people do have access to political participation and economic independence. However, in the case of enclaves in India and Bangladesh, where people do not have those accesses, this idea is far from hollow. The paper reveals that the enclave dwellers' citizenship is not compromised rather both formal and substantive citizenship rights are abandoned by both the states.

Secondly, citizenship and abandonment often do not belong in opposition but rather they are connected and co-exist by the geographic reality and politicised and instrumental use of the juridical. The examples of Moshaldanga enclave's temporary connection with the home country or one enclave dweller's partial legal rights not to be prosecuted in the host country reflect rare and short lived connections between state and citizens. Locating transient citizenship in the spaces of abandonment, this paper shows life within and beyond abandonment.

Finally, citizenship struggles in the enclaves provide an example of resistance in a zone of abandonment, which goes beyond Agamben's politics of inoperativity. Five years organised and co-ordinated cross-border citizenship struggles after six decades of abandonment accomplished their goal and achieved citizenship rights. This shows counter-abandonment struggles are not only possible in the zone of abandonment but can also bring to an end of abandonment.

I would like to conclude by arguing that citizenship debates could be more diversified. As Hindess (2004:305) warns, 'academic writings on citizenship focus on developments in a small number of Western states given the weight of academic resources gathered together in these states'. Everyday lived experiences in the complex terrain of the enclaves suggest that we need to widen the consideration of the empirical study on everyday citizenship practices and experiences around the globe to extend and intensify the citizenship literatures.

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