



Sovereignty and statelessness in the border enclaves of India and Bangladesh

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ABSTRACT

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This article investigates the 198 political enclaves along the northern section of the border between India and Bangladesh. The enclaves are a remnant of the partition of British India in 1947 and are effectively stateless spaces because most are small and located several kilometers within their host country, which has prevented any administrative contact with their home country. Drawing on interviews with current enclave residents, this article describes the creation of the enclaves and analyzes the disputes that prevented their normalization over the past 60 years. The enclaves provide an important site for scrutinizing the connections between bordering practices and sovereignty claims. They also demonstrate both the social benefits the sovereign state system has brought through the establishment of law and order and the devastating consequences it has caused by territorializing those basic social protections. The article concludes that the failure to exchange the enclaves displays the powerful role nationalist homeland narratives play in institutionalizing the concepts of sovereignty and territorial integrity, often at the expense of human rights.

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Introduction

All of the people in our enclave are human beings by name only. Allah made us and because of that we are human beings. But in terms of society or politics we are not worth anything at all. –45-year-old resident of an Indian enclave in Bangladesh

There are no roads, no bridges, no food, it has become a jungle and I am a jungle animal. –70-year-old resident of an Indian enclave in Bangladesh

Along the northern border between India and Bangladesh there are 198 enclaves of one country's territory completely surrounded by the other (see Fig. 1). Most of the 106 Indian and 92 Bangladeshi enclaves are small and located several kilometers inside their "host country," the country that surrounds them, which has resulted in their complete loss of contact over the past 60 years with their "home country," the country that continues to claim sovereignty over them. The enclaves were originally created in 1949, two years after the partition of British India, when the previously non-territorial administrative system of the princely state of Cooch Behar was used to define the territorial boundary between India and East Pakistan (contemporary Bangladesh). While the home countries

make formal claims of sovereignty over their enclaves, the enclaves are effectively stateless spaces due to the complete lack of contact with the home country and the absence of administration from the host country. Estimates of the total population in the enclaves on both sides of the border vary widely from 50,000 to 500,000 people because formal censuses have not been conducted since the early 1950s (van Schendel, 2002; Whyte, 2002). Based on interviews with enclave leaders and previous estimates of the population (Whyte, 2002), it seems likely that in 2009 there are approximately 100,000 people living in the enclaves.

Although a few of the larger enclaves have established local councils for basic administration, most of the enclaves have no form of government at all. All of the typical services provided by a government are either completely absent in the enclaves or are carried out by the residents themselves. Without a public school system, many children receive no education. Without a public works department, the few bridges that do exist are built by the residents from dirt and bamboo. Without hospitals or health clinics, many people die of curable diseases like cholera. Without a government to record them, official documents such as land titles or marriage certificates are drawn up by the enclave residents themselves. Without police or judges, vigilante justice is the only way to settle disputes. Even the most basic infrastructure of electricity, telephones, and roads, which are widely available in the neighboring areas of the host countries, is absent in the enclaves.

The enclaves are spaces that were effectively put on hold for the past 60 years as the territories of India and Bangladesh were

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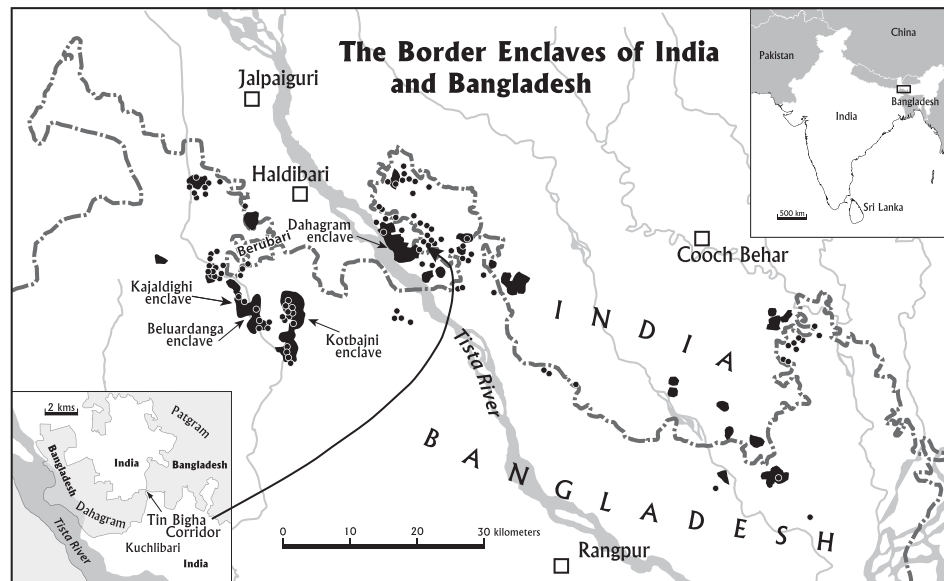


Fig. 1. The border enclaves of India and Bangladesh.

incorporated into the modern sovereign state system. Because they are relatively small and remote, they garnered only meager attention in Indian and Bangladeshi political circles and the residents remained in a state of uncertainty since the partition of British India. They find themselves in an alternate space that is shaped by the processes of modernity but not incorporated into it. Indeed, the enclaves are spatially set outside the social, political, and economic processes that swept up their otherwise similar neighbors. In a time when many—in academia at least—foresee, or dream of, a post-modern world where the categorizing, ordering, and totalizing processes of modernity are challenged and transcended, the enclaves remain a counterpoint of spaces that have not joined the modern era.

Why do the enclaves continue to exist? The home countries never had control of the enclaves, they are not contiguous with the enclaves, and they never reaped any economic benefit from them. Indeed, the enclaves on both sides of the border consist of only subsistence farmland and do not represent a potential future economic asset. Not only do the residents not want to be reunited with their home country, the majority of the current residents, as will be described below, moved into the enclaves specifically to flee violence directed at them in their home country. A more palatable solution (at least from the perspective of the enclaves' residents) would be for each host country to absorb the enclaves that are within their territory through an exchange. Hypothetically, this should be achievable diplomatically—indeed an agreement has been in place on paper since 1958—but practically such an exchange has proven illusive; it does not appear that the political standoff is any closer to a resolution today than when the enclaves formally came into existence in 1949.

This article analyzes the continued existence of the enclaves along the border between India and Bangladesh and it explores the implications they have for understanding the uneven imposition of the modern sovereign state system around the world. The research is based on fieldwork conducted in India and Bangladesh from August 2006 through April 2007. The data includes discourse analyses of government documents and media reports as well as interviews and focus groups conducted in 15 Indian enclaves and in the surrounding Bangladeshi communities. These enclaves were chosen due to their varying size and their distance from the main international border. Due to visa restrictions and inaccessibility,

Bangladeshi enclaves in India were not included in the interview process for this article. Secondary sources suggest the situation in the Bangladeshi enclaves is similar and it can reasonably be inferred that the experiences of enclave Indian residents described here also likely apply to the Bangladeshi enclaves inside India (van Schendel, 2002; Whyte, 2002). All interviews were originally conducted in Bengali and were translated by the author in collaboration with a research assistant in Bangladesh.

The next section situates the India-Bangladesh enclaves within the study of political enclaves and it describes the process that led to their creation in 1949. The middle sections of the article argue that the continued existence of the enclaves simultaneously displaces and reinforces traditional understandings of sovereignty as a tight connection between the state, its citizens, and a particular territory. The enclave residents live a tenuous existence in which they operate as if they are residents of the host country in most quotidian activities. However, even minor disputes or emergencies expose their lack of citizenship and subject them to violence and unsettling insecurity. The article concludes that the failure to exchange the enclaves after 60 years demonstrates the powerful role nationalist identity politics of religion and homeland play in institutionalizing the concepts of sovereignty and territorial integrity, often at the expense of basic human rights.

Situating the enclaves

Despite the interesting implications political enclaves have for understanding the contemporary sovereign state political system, they have received little attention in the literature (Catudal, 1979; Cons, 2007; Karan, 1966; Minghi, 1963; Robinson, 1959; van Schendel, 2002; Vinokurov, 2007; Whyte, 2002). Indeed, the vast majority of references to “enclaves” do not refer to fragments of states at all, but rather are used to describe the spatial organization of ethnic communities, often in the United States (Li, 2006; Martin, 2007). The lack of interest in political enclaves may be connected to the misconception that there are not very many enclaves left and that they are mostly disappearing as states normalize their borders (Whyte, 2002). Despite these assumptions, in 2009 there are still over 280 “real” political enclaves/exclaves in the world, the vast majority of which were created in the 20th century (Vinokurov, 2007).

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