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## Displacement – a ‘state of exception’ and beyond: introductory remarks

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**Biographical notes:** Nasreen Chowdhory is an Assistant Professor in the Department of Political Science, University of Delhi. She received her PhD in Political Science from McGill University. She has published several research papers in national and international peer-reviewed journals such as *Refugee Watch*, *A South Asia Journal on Forced Migration*, *Peace Prints*, etc. She has received Commonwealth Scholarship and Fellowship during 1999–2003 and also a recipient of JRD Tata Award in 1998–1999.

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The work of Agamben (1998) has left an indelible mark across a range of disciplines in the social sciences and humanities, especially to the space of exception. The discussion on the state of exception is particularly interesting as it has not only been applied across a range of disciplines and cases; it invites an engagement with preceding intellectual projects with regards to modernity. Our current intellectual vocabulary owes much to Agamben’s intervention even if we now cite his oeuvre as background especially through concepts and frameworks such as *bare life*, *the camp* and states of exception, the works of Carl Schmidt and Walter Benjamin (especially in ideas from his Theses on History) and expresses similar concerns. If we look at the work of others scholars such as the anthropologist Michael Taussig, there seem to be significant points of confluence, whether intended or not, between states of exception and states of emergency especially in the context of normal everyday life. These frameworks have become starting points for a range of research and critical exploration of historical, social and political phenomenon.

One of the fields where states of exception as a framework, has been especially influential is forced migration studies. Interestingly, it appears that scholars have been approaching many situations, experiences and communities who are marked by some form of the exception even before Agamben’s intervention. Scholars like Malkki (1995) and Clifford (1997) while engaging with migration and movement argues how communities are imagined as rooted in place in the modern nation-state and consequently in social science imagination. Formations such as camps are closely related to this logic as they are temporary solutions to stop individuals and populations from floating around. In this context, camps are often conceived as states of exception, states-of-transition with little or no social and political rights (employment, property, education). The camp constitutes a space removed from the social, economic and political life, and human condition, i.e., what Agamben calls ‘bare life’, to their mere biological condition. The state of exception has had wide application in the study of forced migrants from settings

as diverse as France (Fassin, 2005) and West Asia (Hanafi and Long, 2010), raising questions of citizenship, sovereignty, space, place and possible forms of survival.

The South Asian sub-continent provides an interesting range of sites for exploring the experience of forced migration caused by conflict, development projects, environmental hazards etc. producing refugees, internally displaced persons (IDPs) and the stateless. The constituent nation-states of South Asia paradoxically produce both situations that have led to forced migration and dispossession for some populations as well as providing asylum, officially and un-officially to displaced persons. This has been seen in regional conflicts in Sri Lanka, Kashmir, and the state action against Maoist groups in Central India and to the displacement of tribal communities by Dam construction and of communities who inhabit enclaves between India and Bangladesh.

In some ways, South Asian experiences have been very diverse and there is a concern that dominant analytical models or approaches may not be very effective in application or reflect Euro-American contexts. As expected, scholarships either on or emerging from South Asia have begun to engage with the state of exception as a framework (e.g., Das and Poole, 2004). Vajpeyi (2007) in particular directly addresses these ideas, which avoids the simplistic criticism of the Eurocentric nature of Agamben's ideas by bringing his work in dialogue with South Asian categories of sociality and community. When legal techniques facilitate this process, it may seem ironic that the nation-state itself produces illegality to make the legal as seen in debates on illegal immigration (De Genova, 2002; Samaddar, 1999). These concerns are reflected in the papers presented in the panel convened on 28th February–1st March 2014 titled 'Is displacement – a state of exception?': Issues and Perspectives in Forced Migration in South Asia at the Department of Political Science, University of Delhi and on 15th–18th July 2014 at International Association for Study on Forced Migration (IASFM), Bogota, Colombia. The papers presented in the panel drew from a range of situations and contexts across India from development induced displacement, internal displacement, refugee flows, camps and cross border lives engaged with questions of sovereignty, citizenship, possibilities and formations of bare life, space that creates vulnerabilities, places where the vulnerable aspire to move and questions of gender.

The papers in the special issue will critically engage with empirical studies from different fields ranging from political science, history, to law and anthropology. They are not merely case studies from South Asia but rather suggest a response located in South Asia towards the near universal questions on the state of exception of the displaced. The special issue showcases articles from the speakers who participated in the two panels on the theme of 'state of exception' with an emphasis on different kinds of displacement and dislocation in the modern Indian nation-state. The papers are arranged under the three following sub-headings:

- a understanding forced migration via state of exception and beyond
- b subject-hood and citizenship
- c logics of space and exceptions.

In the first section, papers address the question: in what ways the concept of 'state of exception' has had any effect on forced migration in the South Asian region. Regional ramifications of the theory of the state of exception also necessitate explorations to see in what particular ways it can be applicable to the context of South Asia. How does the experiences of South Asia create exception in the discourse of forced migration? Do

certain groups exist in permanent state of vulnerability making it difficult to share ethnic or national resources to the extent that they are ultimately forced to move or face annihilation? These discussions inevitably bring us to the question of citizenship. The papers written by Ranabir Samaddar, 'Forced migration situations as exceptions in history?'; Paula Banerjee, 'Permanent exceptions to citizens: the stateless in South Asia' and Nasreen Chowdhury, 'Marginality and the 'state of exception' in camps in Tamil Nadu' addresses these concerns.

The major issue that necessitates analysis regarding forced migration and citizenship is whether there is a hierarchy of citizenship and subject-hood in South Asia. In the field of forced migration, a major question that arises is that in any national development measures who bears the cost of development and who reaps the benefits of development. Those who pay the price of development hardly ever reap its benefits. In this section, we conjugate issues of space with that of citizenship. Are certain spaces more vulnerable within a state such as the borders that make people residing in these spaces permanent exception to citizenship? Even when these people are able to access citizenship they often have to accept an attrition of rights. Technically, they might be able to access citizenship but in reality they suffer from a state of being right-less. There are an even more hapless lot who are never given the recognition of citizenship. They are the *de jure* and *de facto* stateless. Some of these questions have been interrogated by Biswajit Mohanty, 'Recounting double exception in *Kalinganagar*' and Ankur Datta, 'Rethinking spaces of exception: notes from a forced migrant camp in Jammu and Kashmir'; examines the permanent exception to what citizenship in major parts of the world entails.

If we follow the logic that certain spaces encourage the state of exception such as the camps then what logically follow that in these spaces rights of citizenship do not work. For example, in most IDP camps even though the people are citizens their situation is no better than the refugees. They are deprived of the basic rights of citizenship. Even in non-camp situation such a state of exception can exist as is portrayed by the situation of the people living in *chitmahals* or the India/Bangladesh enclaves. Living in enclaves most of the political rights of these people get suspended at certain moments. Both papers of Sudeep Basu on 'Of camps and communities-in-exile: the case of Tibetan refugees since the exodus', and Shailaja Menons' papers, 'No man's land! Where do they belong?' showcase the nature of people suffering, such afflictions form and unique example where they are in a permanent state of exception that is seldom found outside of South Asia.

Taking examples from different situations of forced migration in South Asia the special issue addresses whether state of exception can be an axis to understand massive and mixed displacement in South Asia.

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