



Border Dialogues

Bani Gill

Abstract

The western land border of India—running from Gujarat to Kashmir—is one of the most heavily militarized international borders in the world. This paper focuses on the Barmer stretch of the border between India and Pakistan, to understand the implications of the statist project of border making on an erstwhile integrated socio-economic milieu. Taking a rights-based perspective, this paper assesses the impact of this militarized notion of state security on people's security, and on the larger political economy of the border region. How do the insecurities and uncertainties attendant on a 'hostile' border, affect development and people's investment in their future in the borderland?

Author Profile

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Introduction

International border making is a politico-bureaucratic and securitized exercise, marking the limits of a state's territory and authority. The Western land border of India, running from Gujarat to Kashmir, is one of the most heavily militarized international borders in the world. However, while the borders of Punjab and Kashmir dominate mainstream discourse, the borders of Rajasthan and Gujarat¹ find little mention, except during military exercises or war, showing the indifference exhibited towards residents of these borderlands. This paper focuses on the Barmer stretch of the border between India and Pakistan, to understand the implications of the statist project of border making on an erstwhile integrated socio-economic milieu. The dates that loom large in the memory of the Indian nation state – 1947, 1965, 1971, 1999, 2001, 2008 – represent a chronology of militarization and violence that has shrouded the lives of these borderlanders. Taking a rights-based perspective, this paper seeks to assess the impact of this militarized notion of state security on people's security, and on the larger political economy of the border region. How has the border affected people's rights? This paper considers the right to livelihood, to mobility, and to access lands (in 'no man's land' or fenced out areas). What has been the impact of the border on socio-cultural rights of people? The harsh geographical terrain of this region, compounded by the insecurities and uncertainties attendant on this 'hostile' border', is a major factor in its underdevelopment. How do people living in these areas negotiate their position as being on the very edge of the nation state—both politically and geographically?

The research for this paper was facilitated by the 'Rajasthan Border Dialogues', organized by the South Asia Forum for Human Rights (SAFHR), New Delhi in April 2011. In collaboration with local partner Society for Upliftment of Rural Economy (SURE), a human rights audit of the Barmer stretch of the Rajasthan border was attempted to highlight policy recommendations for humanizing the control and management of the border. Along with intensive field visits to border settlements, a two day meeting was held in Barmer in April 2011 which brought together about 30 participants – members of local elected bodies, party leaders, lawyers, doctors, educationists, human rights and development activists, NGOs and journalists from the border districts. The curious effect of National Highway 15, which acts as a 'border within border' in Barmer – dividing the better developed eastern part from its poorer western counterpart – was one of the primary reasons why Barmer in particular was chosen as the site for these dialogues.²

Four districts of Rajasthan—Sriganganagar, Bikaner, Jaisalmer and Barmer—share international borders with Pakistan, stretching across a distance of 1,037 kilometers. Along the entire length of this border, a tall wall of barbed-wire fencing stands erect. High voltage electric flood-lights

¹ For a detailed study of the Gujarat border see Farhana Ibrahim, *Settlers, Saints and Sovereigns: An Ethnography of State Formation in Western India* (Routledge: India, 2008)

² This paper concentrates on the border areas of Rajasthan. As such, it only speaks about the experiences of people living along the Barmer border, and does not claim to be representative of those living on the 'other' side i.e. Sindh.

illuminate it at night. Alert *jawans* (soldiers) patrol the border using vehicles and camels, day in and day out. High observation posts are manned by armed Border Security Force (BSF) soldiers watching in all directions.

However, this wasn't always the case. The militarized nature of this particular border is a relatively recent event, fuelled by the concerns of modern nation state building. Borders, particularly in the discipline of international relations, are most commonly understood as the lines that demarcate nation states from each other on political maps; fixed at states' outer edges.³ The territory of a nation is a constitutive element of nationhood and thus constitutes its geo-body. Nation states project this geo-body as having a long history, almost as if it were natural, independent from technological or any cultural or social construction. However, the sacralization of homelands is a nineteenth century phenomena wherein emerged the idea of exclusive and uncontested territorial state power.⁴ The drawing and creation of borderlands is an outcome of the modern nation state so much so that their creation can often be pinpointed in time, such as in the case of the Partition of India, in 1947. Rajasthan shares a long history of trade and communication with Sindh. Before partition, this entire region was an integrated area through its socio-cultural linkages, religion, language, trade and commerce. This nostalgia remains firm in the memories of people, and is also expressed through poetry and legends, as well as in the shared appropriation of the *ajrakh*, a block-printed fabric, which is shared by both regions.⁵

According to Claude Markovits, trade networks between the two regions had been firmly established in the nineteenth century itself when opium trade was carried out from Rajasthan through Sindh on its way to China.⁶ Sindh was thus a commercial and political gateway to Central Asia. It was this combination of commercial and military interest that led the British to make several attempts to capture Sindh, resulting in its annexation from the Talpur Mirs in 1843. The formal merger of Sindh with the Bombay Presidency shattered its former geographical, cultural and political isolation from India.⁷ The Sindh area was also a major *mandi* (wholesale grain market), and tradesmen from the regions of Barmer, Jaisalmer and Bikaner would often migrate temporarily to sell their handicrafts like wood, *pan* (betel leaf) and *supari* (betel nut) there. An older generation of inhabitants, those who remember an integrated area before partition, remember it as a land of abundance and plenty. The region is home to migrant pastoralists and as Farhana Ibrahim explains, "Before the creation of a modern political boundary between India and Pakistan, there were custom regulated rules on the grazing of animals and access to pasture lands, but for the most part anyone could use the grazing lands in the Rann as long as the grazing tax was paid to the appropriate authority—either Kachchh or

³ Nick Vaughan-Williams, *Border Politics: The Limits of Sovereign Power* (Edinburgh University Press, 2009).

⁴ Thongchai Winichakul, "Maps and the Formation of the Geo-Body of Siam," in *Asian Forms of the Nation*, ed. Stein Tonnesson and Hans Antlov (Nordic Institute of Asian Studies, and London: Curzon Press, 1996).

⁵ Farhana Ibrahim, "Defining a Border: Harijan Migrants and the State in Kachchh," *Economic and Political Weekly*, Vol. 40, No. 16 (April 16-22, 2005): 1623-1630.

⁶ Claude Markovits, *The Global World of Indian Merchants, 1750-1947: Traders of Sind from Bukhara to Panama*, Cambridge Studies in Indian History and Society (2008).

⁷ Rita Kothari, "Sindh: Hardening of Identities after Partition," *Economic and Political Weekly*, Vol. 39, No. 35 (Aug 28 - Sept 3, 2004): 3885-3888.

Sindh (Gupta 1969). These lands were held in the manner of common property resources, controlled by the local ruler rather than as village owned greens.”⁸

The close ties of marriages and trade between Sindh and Rajasthan survived the partition and continued till 1965 when the border dispute between India and Pakistan flared into an armed conflict. After the war of 1965, formal access was officially cordoned off and a series of militarization measures were taken that continue up to this day. The adverse effects of this militarization on everyday life were a recurrent theme voiced by many of the participants, compounding their feeling of double marginality – both geographical and political.

Securitization/Militarization of the Border

The December 2001 attack on the Indian Parliament, and the subsequent military standoff with Pakistan, provided the immediate impetus for a restructuring of India’s defense, particularly in relation to Pakistan. The limited war Cold Start doctrine, introduced in 2004, marked a break from the fundamentally defensive orientation that the Indian military had employed since independence in 1947. The new posture was termed ‘active deterrence’ as against the ‘dissuasive deterrence’ that was practiced earlier.⁹

Under this system of ‘active deterrence’, every year two sets of military exercises are conducted in the border villages of Barmer. The first set commences in the summer months, usually between April-May, and the second set is held in the winter months. These military exercises cause routine disruption in the lives of the people living in the border regions. Coming in with heavy machinery and artillery, little attention is paid to what is being destroyed by these exercises – farms with standing crop get stampeded upon, wells, pumps and other important infrastructure is carelessly run over, animals and cattle become collateral damage. A number of complaints were voiced against the high handed behavior of the army – it was alleged that the security forces pay no heed to the concerns and complaints of the local population, take no responsibility for damage caused, and are opaque on questions of compensation, reparation and remuneration for the days of work lost.¹⁰

Operation Parakram¹¹ was one of the largest military exercise carried out by any Asian country. After a military standoff lasting about a year, the Indian Army went back to their barracks in October-November 2002. This display of military machismo caused large-scale displacement; all along the border villages people were evacuated and packed off to areas further inside. People lost their homes, fields and standing crop to the army occupation. Alongside, more than 8 lakh land mines were laid along the 1,040 km stretch of the India-Pakistan border in Rajasthan, the longest land boundary between the two countries.

⁸ Ibrahim, op.cit., 1623-1625.

⁹ Masood Ur Rehman Khattak, *Indian Military’s Cold Start Doctrine: Capabilities, Limitations and Possible Response from Pakistan*, SASSI Research Paper 32, March 2011. <http://www.sassi.org/wp-content/uploads/2012/05/RP-32-Masood-Indian-Militarys-Cold-Start-Doctrine-Mar-2011.pdf>, (accessed Oct 18, 2012).

¹⁰ Study participants’ meeting held on April 9, 2011.

¹¹ Operation Parakram refers to the 2001-2002 military standoff between India and Pakistan, along the western border of India.

The minefields extended as far as six to eight kilometers from the border and were planted in cultivated and uncultivated land, on farming and grazing land, around infrastructure and around villages in defensive positions. The large number of civilian casualties as a result thereof, called into question whether India has met the requirement to protect civilians from entering areas containing antipersonnel mines.¹² Though India maintains that “Minefields were laid, recorded and marked in consonance with well-established Standard Operating Procedures and in conformity with Amended Protocol II”, and that “all village headmen were personally informed about the location of the minefields in order to ensure that local inhabitants were adequately sensitized”,¹³ the respondents of SAFHR study claimed that no such effort had been made.

The Indian Army started major mine clearance operations in October 2002 and reported that as of 30 September 2003, over 90 percent of the mines had been recovered.¹⁴ However, mine clearing operations are painstakingly slow and dangerous as mines often shift from their original locations, becoming difficult to detect. Some mines become unstable due to exposure and are prone to exploding. Accidental deaths by landmines continue to occur in the region and even today, the one-off incident is reported. Though the government of India claims to have paid adequate compensation for loss of life and loss of land, the participants at the meeting contested those figures, stating that the actual figures were far lower.¹⁵

The military standoff of 2002, a war that was never actually fought, had a devastating impact on the border villages. The memory of the fear that this period evoked is what stood out in the narratives of the participants. The events were not necessarily placed in chronological order, the dates were frequently mixed up, the Kargil war being confused with Operation Parakaram, but the larger issue of militarization and its impact is part of the lived history of the border. The Indian state has unwittingly accepted the assumption that a desert, given its harsh geographical environment, is necessarily ‘useless’ and thus a wasteland. Desert areas are thereby favored for army exercises, nuclear tests, firing ranges. There are a number of military ranges in Rajasthan – in Khetolai, Pokhran and Ramgarh – causing dispossession, displacement and loss of control of the indigenous population over their lands.¹⁶

The figure of the army – and of the army man in particular – is mired in fear. People talk of *bhay* or fear of the army, specially the women, who ‘refuse’ to venture out whenever the army has its biannual exercises. At first no one at the meeting reported any incident of harassment of

¹² The Landmine and Cluster Munitions Monitor reports that “In 2003, there were at least 99 new civilian landmine casualties in the border districts of Rajasthan, Punjab and Jammu.” <http://www.the-monitor.org/index.php/publications/display?url=lm/2004/india.html#fn7358>, (accessed May 20, 2012).

¹³ <http://www.the-monitor.org/index.php/content/view/full/18617>, (accessed May 20, 2011).

¹⁴ <http://www.the-monitor.org/index.php/publications/display?url=lm/2004/india.html#fn7358>, (accessed May 25, 2012).

¹⁵ As of October 2003, the government reported that that the minimum compensation being paid to civilian landmine casualties is a sum of Rs 100,000. However, this figure has been hotly contested. For further discussion of compensation figures please see <http://www.the-monitor.org/index.php/publications/display?url=lm/2004/india.html#fn7358>, (accessed May 30, 2011).

¹⁶ Kavita Srivastava, “Militarisation of Indo Pak Border and the Issue of Land Mines,” People's Union for Civil Liberties, Rajasthan. <http://pucl.org/Topics/International/2003/landmines.htm>, (accessed May 30, 2011).

women by the army or BSF. Gradually, stories started to emerge. These 'instances' may be part of the urban legend surrounding the border, as no one could give us, or rather no one *wanted* to give us, exact dates or references, but perhaps the veracity of these claims is not even a question. The fear that has been instilled by the 'man in uniform' is entrenched amongst local populations. During the army exercises particularly, we were told, women try to stay indoors as much as possible. Lodging a complaint or FIR against such incidents is not a viable option for many. The question of shame and dishonor looms large. Education levels remain very low amongst border populations as a whole but especially amongst the girls and women. And even in instances where rape is reported, identification and the ensuing trial is a painstaking process, further victimizing the victim herself. As one of the participants informed us *fauji ke khilaaf complaint karna bahut difficult hota hai* (it is very difficult to complain against an army man).

Lack of Development and Infrastructure

Resources are usually to be invested where the nation state feels the most 'vulnerable'. It is important for the state to be visible in border areas which while territorially being at the edge of a country, assume central importance when it comes to policy centered around the concerns of state security. Given the strategic importance of the western border of Rajasthan, it would seem plausible that the Government of India would be interested in having a greater stake in these areas, to build a relationship of trust. On the contrary, these border areas seem to be the forgotten lands of the Indian nation, only remembered in times of war. Lack of basic facilities and access to resources such as water, education, health care are issues that affect large parts of the country. But these issues take on a different dimension along the Rajasthan border.

The lack of development is clearly reflected in the literacy and health indicators of Barmer district, where one can see the divide existing between the border regions and the main town. Literacy in Barmer district, according to the 2011 census, was 57.49 percent where male literacy was 72.32 percent compared to the much lower female literacy level of 41.03 percent.¹⁷ According to a UNDP report of 2009, the highest literacy rate was recorded in Barmer and the lowest in the border village of Ramsar. Again, the lowest male literacy rate was recorded in the border village of Chohtan at 65.2 percent and the highest rate in Barmer at 79.8 percent. While the desert state of Rajasthan as a whole ranks quite low on the development scale, in the border districts of Barmer, Jaisalmer and Bikaner the situation is even worse. For instance, in 2004–05, there were 3 hospitals, 3 dispensaries, 3 mother and child welfare centers, 66 rural primary health centers and 443 sub centers in all of Barmer, and one can only imagine the skewed distribution of these resources from the main city to the far off border districts.¹⁸

The Border Area Development Program (BADP) was started during the 7th Five-Year Plan in 1987, with the express purpose of meeting the developmental needs of people living in remote and inaccessible areas situated near international borders.¹⁹ But it must be pointed out that the

¹⁷ <http://www.census2011.co.in/questions/440/district-literacy/literacy-rate-of-barmer-district-2011.html>, (accessed Oct 30, 2012).

¹⁸ Government of Rajasthan and Planning Commission of India, *Barmer District Human Development Report*, 2009.

¹⁹ It is implemented under the guidelines framed by the Planning Commission, where funds are allocated taking into consideration (i) length of International Border (km); (ii) Population of the border block and (iii) Area of the border block (sq km). Weightage of 15 percent over and above the total allocation is also

planning and implementation of the BADP suffers from serious oversights. The priority zone for the BADP is about 0-40 kilometers from the fence. While this works in regions like Barmer and Bikaner, which have village districts located very close to the border, in areas like Jaisalmer where villages are located slightly farther away, this categorization of the priority zone becomes a problem. Again, the BADP is only to be implemented in areas deemed to be revenue villages i.e. having a population of 2000 or more. But revenue villages often comprise of several hamlets, or *dhannis*, which may be far-flung from each other, whereby it becomes difficult to access education and other facilities. Very often population living in these smaller hamlets is not registered, and as a consequence no developmental project takes place due to 'lack of population'.

The implementation of the BADP is monitored in the Department of Border Management and by state governments which take crucial decisions regarding the scope of the program, its execution, prescription of geographical limits, allocation of funds etc. But, ask the people, how can policy makers at the Centre, having no real knowledge of border conditions, decide which areas should be deemed as priority? There is a complete lack of democratic debate and discussion in the scope and implementation of the BADP, leading border populations to lament the gross neglect of border areas. As one of the participants at the meeting voiced, "Pakistan will attack when it will, but with India, it is like dying a slow death... there is simply no access to facilities. When the Indian government spends so much on defense, can we not ask for even our basic rights?"²⁰

Impact on Economy

The territorial etching of the border has had considerable impact on the economy and livelihoods of borderlanders. The erstwhile interdependence of the Sindh and Rajasthan region has been severely disrupted, particularly since an official fencing procedure commenced in the 1990s. The physical construction of the fence effectively put a check to cross border trading and the migratory patterns of before. Fencing has had a considerable impact on agriculture also, since many people found their land to be on the wrong side of the fence, where entry is restricted. It may also be stated that till date, no realistic estimate has been made on the amount of land lost to fencing in Rajasthan, or which areas have been the most affected.

There are all sorts of restrictions on sale and purchase of land in these border areas. For instance in the *nehri elakas*, or areas fed by the Indira Gandhi Canal, outsiders are not allowed to buy or sell land. Similarly, in the areas under the Desert National Park such transfers are prohibited and in Restricted Areas near the border, special permission is needed. Though big multinational companies like Cairn Energy have invested on the Eastern side of the NH 15, investment on the Western side remains typically low. The lack of industries is due to a number of factors – lack of raw material like water, electricity, markets, lack of basic education and health facilities,

given to states having hilly/desert/*kuchchh* areas. These funds are in addition to what the Centre usually provides in the form of financial assistance, and are to be used in the identified border blocks only. Various schemes like construction/maintenance of roads, water supply, education, filling gaps in infrastructure, security, etc. are being undertaken under the BADP, mostly centered on border villages. <http://www.mha.nic.in/pdfs/BADP.pdf>, (accessed April 15, 2011).

²⁰ Meeting held on April 10, 2011.

insufficient irrigation and drinking water facilities, poor road connectivity, lack of skilled manpower etc.

State support in the form of investment remains limited, moreover, the state has not invested in systematic schemes for livestock rearing. Large livestock offers opportunities for development of livestock based agro processing industries, like sheep wool carpet making, using animal waste products like hides, skins, bones etc. This industrial base should be strengthened. However, livestock is largely migrating for want of drinking water and fodder.²¹

Borders within Borders

National Highway 15, connecting Samakhiali in Gujarat with Pathankot in Punjab, acts as a sort of border within the border region of Barmer, creating a division between the more developed Eastern part and its poorer Western counterpart. The Western side - bordering Sindh - is visibly poorer in terms of development, infrastructure, access to resources such as water, education, health care etc.

The Western side of NH 15—running from Sriganganagar to Sanchore via Sriganganagar, Suratgarh, Lunkaransar, Bikaner, Gajner, Kolayat, Phalodi, Khera, Ramdevra, Pokaran, Lathi, Jaisalmer, Sangad, Fatehgarh, Sheo, Bhadewa, Kapoordi, Barmer, Hathitala, Sanwara, Lookho, Gandhwa and Dhamuna—also falls under the partially protected areas of India. Under the Foreigner (Protected Areas) Act, foreigners are required to obtain a Protected Area Permit (PAP) to visit these areas, along with acquiring an Indian visa. In addition, by a 1996 notification of the Ministry of Home Affairs, certain border areas of Barmer (Gadra Road, Ramsar, Binjrad, Sedwa, Bakhusar, Girab, Chohtan), Jaisalmer (Nachna, Mohangarh, Ramgarh, Shahgarh, Jhinjhinyali, Nokh, Khusi, Sum), Bikaner (Bajju, Pugal, Chattargarh, Khajuwala) and Jellore (Sanchore, Chitalwana, Sarwana) were declared to be notified areas where access was prohibited unless a special permission was received from the District Magistrate or the Sub District Magistrate.

As a result of the restrictions, investment in these border areas has remained quite low. Even Indian citizens who are not residents of these specified areas require an Inner Line Permit (ILP) to enter these places, thereby restricting mobility. Residents of the border areas complain of differential treatment meted out against them—while tourists and foreign professionals with big oil corporations are able to obtain a PAP with relative ease—it is them and their relatives from Pakistan, who are discriminated against.

British oil major Cairn Energy made one of its most significant oil finds in the Mangala fields of Barmer in 2004, marking the beginning of a major shift in the economy. This was followed by the 1,080 MW power plant by the Barmer Lignite Mining Company Limited (BLMCL)—a joint venture of the Rajasthan Government and Jindal Energy - which was set up in February 2009. Overnight, the town of Barmer saw something of a facelift, land on the Eastern side of NH 15 was now being sold for millions of rupees. But while the discovery of oil has meant immense prosperity for some, it has had no trickle down effects to other areas, especially those on the

²¹ Government of Rajasthan and Planning Commission of India, op.cit.

Western side of NH15. The Western front still remains largely rural with a complete lack of even basic facilities.

Local population in the border areas recognize themselves as being 'outside' the mainstream, and demand that the state also recognizes them as such. One of their key demands is that border areas, and especially those along harsh terrain like deserts, be given special economic concessions which would make this area more attractive to outsiders for the sake of investment. They compare themselves to *adivasis* (tribals), and demand that they too be given special privileges to ensure social justice. For instance one of their demands is that, given the educational backwardness of these areas and of Rajasthan as a whole, the minimum educational qualification to join the army be reduced from class X to class IX. The irony of the situation is that instead of asking for an overall improvement in the education system, the demand is for the general pass rate to be decreased.

Fundamental Rights

Through the course of the dialogues, the abysmally low levels of awareness amongst border peoples regarding laws and relevant legal frameworks, and of their own fundamental rights, was striking. The demands thus made by the participants were simple—the right to information, to know in advance when military exercises are to be held, to be given ample warning before village evacuations, to have a right to voice their grievances and expect redressal of the same.

The institution of the *gram panchayat* is a hallmark of Indian democracy. Particularly in context of border areas, which are geographically so far away from the centre's vision, there is a need to make these local bodies more efficient and accountable so that border people feel that they have a stake in the system, and are active participants in the same. Even from a state security perspective, it is important to ensure that population at the borders are invested in the system, failing which it becomes difficult to ensure territorial loyalty. Right to family, right to culture, right to freedom of religion, right to education, right to health, and the overall civil and political rights of people in the borderlands must be acknowledged and respected. Given the strategic importance of border areas, there is always the fear that civil administration will play second fiddle to the dictates of security or military organizations. This needs to be checked, and the full importance of the *gram sabhas* has to be realized, in order to experience citizenship as democratic inclusion rather than exclusion. For instance, border people have a right to demand that the army pay for damages caused during the military exercises. Guidelines regarding remuneration—whether due to mining, accidental death or during military/war operations, must be made accessible to the local population.

In our meetings with the BSF, we were told that Community Liaison Group meetings are called by the SHO in Barmer every couple of months, but we found that the level of awareness about the very occurrence of these meetings was extremely low. Even in times of evacuation or mine laying there is allegedly no direct interaction with locals. The locals are just 'asked' to cooperate. The army and the BSF are recognized as the most powerful bodies operating in the border areas, but there is no system by which a local popular representative can talk to the BSF directly. The BSF interacts once in a while as part of its welfare programmes, but not as interface between government and people. What is witnessed is a kind of 'security raj', where as one of

the women respondents at the meeting stated “*woh apni bandook ki nok se kuch bhi kar sakte hain*” (They can do anything with their gun).

To access land on the other side of the fence, permission is needed from the BSF in the form of *parchis* (permits), which have to be deposited by 6 pm, failing which one has to pay a hefty default sum. The curfew of 6 pm imposed by the army is another severe restriction on the mobility of the people as special permission is required for any negotiation with the curfew timings. As one of the participants in the dialogue put it, “Our fields went in defense of the nation but we have got nothing in return”.²² In addition, no remuneration has been given for land which was lost to the construction of the fence.²³

Fencing was also initiated to curtail smuggling and other ‘illegal’ activities rampant on the Rajasthan border in the 1980s. With the construction of a physical fence, smuggling figures went down drastically. In fact, this is the only real benefit that has accrued to the border people because earlier, smugglers would be able to trespass the border easily, and it would be they – the local civilian population – that would be caught and hauled up for questioning. Restriction on smuggling has at least meant some temporary respite for the villagers who now don’t have the fear of being randomly picked up on suspicion of being a smuggler, or on the allegation of helping smugglers from across the border.

However, the political economy of the border works in strange ways. It is not as if smuggling has stopped completely; it continues in myriad forms, through innovative mechanisms. Different government agencies, in fact, have a complicit hand in this.

Role of Intelligence Agencies of the State

From the reports we heard, it seems like a number of security agencies stationed in border areas are involved in recruiting people as spies to be sent to the bordering districts of Pakistan. Those recruited are often the uneducated, the poor and the landless, dalits and religious minorities who are pitted at the very bottom of the social ladder.

Khoja Khan is one such person, who was caught in Pakistan and languished in a jail for ten years. He was approached by Indian security agencies in 1996, and regularly made illegal forays into Pakistan till 2000, when he was picked up by the Pakistan intelligence agencies and sentenced to jail. Though his sentence was supposed to be for a period of 3 months, on the relatively minor charge of unknowingly trespassing the border, he ended up spending 10 years in jail, as India-Pakistan prisoners are released only after joint consultations with both sides. Given the strained diplomatic relations between the two countries, this process is far from smooth.

During his time in jail, he alleges that the agencies that trained and sent him washed their hands off him. He had been lured by promises of wealth, with the agencies promising that at least his family would be taken care of in case something happened to him. However, his family received no support during the period of his incarceration and became hapless victims of this

²² Meeting on April 10, 2011.

²³ It is interesting to note the forms of resistance employed by the local population. One of our respondents informed us that now people have started putting the land on the other side of the fence as *girvi* or mortgage for loans. This essentially spells problems for the government because there will be no way to recover the money in case the borrower defaults.

'illegal' network. When asked why he agreed to do this work in the first place his reply was simple—"main majboor tha" (I had no choice)—since the security agency in question was constantly pressurizing him and reminding him of his 'duties' towards the motherland. With no alternate source of livelihood, Khoja Khan had not much choice in the matter.

When we say 'no alternate source of livelihood', perhaps we should replace the term 'alternate' with 'legal'. Khoja Khan had been a smuggler back in the days when smuggling was still rampant. It was perhaps his identity as a former smuggler, as a man who knew his way in and around Pakistan, as a Muslim man with relatives there, which probably sealed his fate. There is thus a curious negotiation with legality at play here. Khoja Khan is comfortable playing both, the role of 'actor' as well as 'victim'. His decision to go to Pakistan as a spy was no doubt based on his former connections as a smuggler, putting him outside the boundaries of state sanctioned legality. The fact that he was caught and treated so poorly marks him as a 'victim'. He thus finds no contradiction in saying that he did it 'for the sake of the country, to be a good Indian', while stating in the same breath that he was forced to do it because 'he had no other option'. His status as a former smuggler, as a 'criminal' seemed to make no difference to the way he was greeted by other locals present in the dialogue. His actions or his involvement with semi legal structures was not deemed reprehensible. If anything, he was propped up as one of the key figures in their quest for justice.

Citizenship and Refugee Concerns

The Partition of India in 1947 saw the largest ever transfer of population, creating newly constructed categories of 'minority' and 'majority' populations in both India and Pakistan. The Partition created a massive refugee situation, continuing up to this very day. Yet, neither India nor Pakistan is signatory to the United Nations Convention on Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967.

Forming less than 2 percent of Pakistan's population currently, the country's largest minority, roughly about three million, Hindus are concentrated in the southern Sindh province. Among them are some prosperous *bania* merchants and powerful Rajput landlords, but the majority of Pakistan's Hindus are dalits, mainly impoverished landless laborers. The first wave of massive migration to India from Thar Parkar occurred in the wake of the India-Pakistan war of 1965. Some 10,000 people from the area crossed over to India. Then, in the course of the 1971 war, India occupied a large part of Thar Parkar, as a result of which about 90,000 Hindus of the area shifted to India and decided not to return. Under the 1972 Shimla agreement, India agreed to give back this territory with Pakistan promising to receive 90,000 of its nationals, mainly Hindus from Thar Parkar, who had taken shelter in India during the war. Though India returned the land, Pakistan showed little interest in accepting these people, most of whom had sought shelter in western Rajasthan and few of whom wanted to return.²⁴

In 1978, by an order of the Government of India, the District Magistrates in Gujarat and Rajasthan were authorized to grant Indian citizenship to refugees who had come in 1965 and 1971. The refugees who arrived in 1965 were allocated villages inhabited by Muslims who left for Pakistan during the same time. The rehabilitation package for those who arrived in 1971

²⁴<http://rethinkingislam-sultanshahin.blogspot.com/2010/08/current-affairs-28-aug-2010-newageislam.html>, (accessed May 25, 2011).

included an allocation of either 25 bighas of land in the canal area or 75 bighas of barren land in the desert. However, people complain that only a part of this total allocated land was given to them, the rest was included in the Desert National Park or occupied by local people.

The attack on Muslims in India and the demolition of the Babri Masjid in 1992 was reciprocated by massive waves of attacks against Hindus in Pakistan, because of which cross border migration increased. Most of these refugees are from Thar Parkar district in Sindh. Others are from other neighboring districts of Sindh, such as Umarkot, Mirpur Khas and Hyderabad, as well as from Rahimyar Khan and Bahawalpur in southern Punjab. While the earlier migration had been mostly from the feudal and upper caste Hindus from Thar Parker, migration in recent years has been of scheduled castes and scheduled tribes. Prior to the fencing that commenced in 1990s, cross border movement was relatively easier, even though the border was regulated. However, the institution of the fence spelt stricter checks and controls and necessitated state sanctioned passports and other documents. Negotiation with this bureaucratic juggernaut is a complex process for many of these refugees who are poor and illiterate and with hardly enough money to pay for valid legal documents.

Most of the migrants and refugees who come to India from southern Sindh have settled in Rajasthan. Most of them have relatives in the state, particularly in the border districts of Barmer, Bikaner, Jaisalmer and Sriganganagar. They have to regularly apply for the renewal of their visas, and this is very often denied. Migrants have to be residents of India for at least 7 years in order to acquire citizenship. A Long Term Visa (LTV) is usually issued in the interim, but there are many restrictions within it. For instance, migrants are not allowed to travel to the border districts, which is where most of them have relatives. The Indian High Commission in Islamabad refuses to give visas to Pakistani nationals to travel to these districts, because of the Protected Areas Acts.²⁵

For the Sodha Rajputs of Pakistan these difficulties in acquiring visa interfere with their right to religious and cultural freedom. Over ten lakh Sodha Rajputs live in Umarkot, just across the international border from Barmer. Since intra-*gotra* marriage is said to be prohibited, Sodha Rajputs look beyond the borders to wed their sons and daughters among the Rajputs of Rajasthan. In October 2009, they won a major battle as the Ministry of External Affairs, in consultation with the Ministry of Home Affairs, agreed to grant members of this community a six month visa to visit India, instead of the erstwhile limit of thirty days. But though this is a victory of sorts, there is still the problem of actually travelling to the restricted border areas in search of a potential bride or groom.

These laws must also be analyzed from a gendered lens. The border imposes additional boundaries on the lives of women, by dividing their natal home from their matrimonial home.

²⁵Through the efforts of local organizations like the Pak Vishtapit Samiti (PVS) and the Seemant Lok Sangathan, in February 2004, the Government of India declared that all eligible Pakistani refugees in Rajasthan and Gujarat could apply for Indian citizenship, with the power of granting citizenship delegated to the District Magistrates of Rajasthan and Gujarat. Following this, 'citizenship camps' were organized by the government between January 4 and February 28, 2005 in all the districts of Rajasthan where the migrants reside. By February 28 more than 13,000 Pakistani migrants received Indian citizenship through the citizenship camps. On March 3, 2005, the extension period of the order was further renewed by another year, but even this was wholly inadequate since the migration of Hindus from Pakistan continued post 2006.

Pakistani citizenship can be acquired if one spends a minimum of two years in the country. Thus, for women from India while it is relatively easy to get Pakistani citizenship once they are married and settled in Pakistan, re-acquiring Indian citizenship, should the need arise, is a difficult process. Moreover, even short term visits to her maternal house, particularly if it is located in the border area, will not be permitted.

The Thar Express link, which was destroyed during the course of the 1965 war, was restored on 18 February 2006 after a period of 41 years. It connects Karachi to Jodhpur in India; Munabao and Khokhrapar being the last two railway stations on the India-Pakistan border. These two stations are about six kilometers apart. On the Indian side, after customs and security at Munabao, the Thar Express goes straight to Jodhpur without any stops in the middle. While the physical distance may only be that of a couple of hours, due to security reasons and under the guise of the protected areas act, people are forced to go all the way to Jodhpur, spend long hours at customs and camp there for the entire duration of the time they are visiting. Referring to the initial euphoria over the train which has now been marred by the many bureaucratic obstacles involved, participants likened the opening of the Thar Express to the situation in which *"pyase ko paani dikhaya jai, par pilaya na jaye"* (Showing water to the thirsty but not allowing him to drink).

Conclusion

This paper has attempted to illustrate the many impediments to 'inclusive citizenship' facing the borderlanders of Barmer district. The event of the partition may have erected a formal boundary dividing the two countries, but the border between Rajasthan and Sindh remains socially fluid even years after its territorial demarcation. It is this very fluidity which threatens and undermines the supposed homogeneity of national territories, and which the state tries to regulate through securitization and militarization. The desert state of Rajasthan has many developmental concerns given its arid geography. The border villages of this region thus face a double marginality – geographically, they are located on the edge of the nation state, and politically their human security is frequently compromised for the sake of state security. Their formal citizenship and loyalties are constantly questioned, their livelihoods are perpetually at stake, and moreover, they live their life under a framework of extreme militarization with no recourse to accountability.

This marginality must be immediately addressed, by prioritizing human rights over militarization. Army exercises must be conducted with the active knowledge and cooperation of borderlanders. Exercises should occur far away from residential places, and should be held in the same place each year. Due notification should be given to both the district collector as well as the village *panchayats*, and it should be mandatory for the army to procure a 'No Objection' certificate before it leaves the area. Compensation measures for any damage caused must be put in place, so that borderlanders have institutional support when it comes to redressal of their grievances.

Access to education and other basic facilities remains severely restricted in border areas. The Indian state must be attendant to these concerns, and invest in the socio-economic growth of the region. At the same time, these facilities should be made accessible to even the most marginalized of social groups, particularly women. Programs like the NREGA should be used

for construction of school buildings, hospitals and medical facilities to create rural infrastructure that will better the livelihoods of people.

Lack of accurate and suitable data was cited as one of the biggest obstacles to development by both the participants at the dialogue, as well as by the BSF. It is thus imperative to have a national level detailed survey of all border villages of Rajasthan to get extensive qualitative and quantitative data on the issues affecting these areas as a whole, and for future planning of funds and resources. The benefits of the oil discovery have not percolated to those most in need. It thus stands to reason that at least a certain percentage of the profits reaped as a result of the oil discovery be used for the benefit of the district as a whole. Rajasthan is a state rich in minerals, the benefits of which seldom accrue to local populations. The state needs to step in to ensure that local resources are used optimally for employment and income generation.

The refugee issues attendant upon this border must also be addressed. Three key demands were voiced: 1) the hike in the fee for applying for Indian citizenship be rescinded; 2) the criteria of seven year period of residency in India for citizenship purposes be reconsidered and reduced to the earlier period of five years; and 3) the power to grant citizenship be vested with the District Magistrates.

The acceptance of demands and recommendations by the border population would go a long way in addressing the feeling of alienation and marginalization experienced by border populations. The 'vibrant borderland society with dynamic socio-cultural practices straddling the border is at odds with the state's agenda of using the border as a tool of statecraft; for realizing its territorial sovereignty'²⁶. However, the imperatives of militarization and national security are severely at odds with human security, and are a constant threat to the stability of the region and, by extension, that of the nation state.

²⁶ Sahana Ghosh, "Cross-border Activities in Everyday Life: The Bengal Borderland", *Contemporary South Asia*, 2011.

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