

Making a “menace” of migrants

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Do you know how many illegal Bangladeshi immigrants there are in India? Are there 30 million of them? What about 20 million? Or is the figure as low as 10 million?

I ask because the truth is that nobody knows how many illegal Bangladeshi migrants have made India their home. Every figure you read will be an approximation or - and this is more likely - a simple guess. The 30-million figure, for instance, is usually quoted by people who want to claim that the problem of migration has now veered dangerously out of control. Because 30 million sounds more alarming than 10 million, it is this figure that will get quoted. But nobody knows that there are, in fact, 10 million illegal immigrants (the 30 million figure is just plain ridiculous) because no statistics exist.

At an intuitive level, however, we do recognise that there are many illegal migrants in India. The border between India and Bangladesh is porous and there is little that anyone can do to check migration. Moreover, many people in the border villages do not recognise that an international boundary exists. It is not uncommon for a man to cycle from a Bangladeshi village to a town in India to buy something - and for him to then cycle back home on the same day.

So, there are many Bangladeshis in the border districts of West Bengal. Because there are few cultural differences, they fit in easily with the local people. Many of these Bangladeshis do then make their way to such cities as Calcutta or Delhi.

This by itself should not be a cause for much concern. We were all part of the same country till 1947 and it is inevitable that people will keep moving between the nations of South Asia, no matter how the international boundaries are drawn.

But, we are repeatedly told, the “problem of Bangladeshi migrants” is different. First of all, there are supposed to be too many of them. Secondly, there is a danger that some of them will have terrorist links. And finally, there is no way that India can sustain such a huge burden on its resources. There are simply not enough jobs to go around.

If you think about it, none of this makes much sense. The figures, as we have seen, are just concoctions. The terrorism stuff is nonsense. There is very little evidence that Bangladeshis foment terrorism in India and no evidence at all that the rag-pickers, sweepers and domestic servants who constitute the bulk of the illegal migrant population have a terrorist agenda.

That leaves us with the not-enough-jobs-to-go-around argument. This seems reasonable enough till you realise that nobody objects to immigration from Nepal. In fact, we actually encourage Nepalis to come and seek employment in India and have special laws in place that enable them to cross the border without passports and to work without visas.

So, why are there enough jobs for Nepalis and not enough jobs for Bangladeshis?

Not only is the answer obvious but here's another fact: many of those who have left Bangladesh and opted for India are Hindus who feel increasingly alienated because of the Islam-isation of Bangladeshi society. But, do you ever hear of a drive against illegal Hindu immigrants? On the contrary, such parties as the BJP have invited Bangladeshi Hindus to seek shelter in India.

No doubt, there are enough jobs to go around when it comes to Bengali Hindus.

But why blame the BJP alone? The Congress is as responsible for creating the scare about illegal Bangladeshi immigrants. In 1993, when Narasimha Rao was Prime Minister, we made the mental shift from seeing Bangladesh as a source of cheap labour to suddenly seeing it as a menacing country from which millions of illegal immigrants would deprive happy Hindus of their jobs.

It was in 1993 that the government launched Operation Pushback which authorised the police to pick up thousands of poor Bengali Muslims from all over Delhi and to send them to the border. Bangladesh refused to accept these people - claiming that they were not Bangladeshis at all - and many were stuck in the no-man's land on the edge of the border before eventually sneaking back into India after bribing soldiers and officials.

Operation Pushback - and its equivalents in other cities - continues to this day even if the name has changed. It is still the responsibility of the police to round up illegal Bangladeshis and to send them back across the border. The Delhi Police, for instance, has ten Task Forces whose primary function is to scour Delhi looking for Bangladeshis to ship back to Dhaka. In other cities too - and the Bangladeshi scare has now taken hold in Bombay - more and more policemen are being pulled away from their normal duties (i.e., the maintenance of law and order) and being told to concentrate on looking for Bangladeshis.

In my view, the police should have better things to do. But even if you disagree with me and believe that illegal immigration is a serious problem, I don't think it is possible for anybody to support the manner in which alleged Bangladeshis are being deported.

I have been reading a pamphlet produced by the Citizen's Campaign for Preserving Democracy. Members of this group studied the way in which the police rounded up Bangladeshis. And what they found is truly disturbing.

First of all, many of the people being deported are not even Bangladeshis. Under the Foreigners Act, the burden of proof is on the accused and not on the police (you are guilty till proved otherwise). So the only way for a Bengali Muslim to prove that he is an Indian is to produce documentation. But few poor people in India possess any documents at all. So, the police can pick up and deport anybody they like as long as: a) he speaks Bengali, b) is a Muslim, and c) looks like he lacks the resources to defend himself.

Secondly, the notion of due process does not exist. All civilised countries constitute some kind of judicial body that serves as a court of appeal and allows the man who is being deported a chance to be heard.

In theory, India also allows for this kind of appeal. According to the Foreigners Act, there should be a tribunal. And the Illegal Migrants (DT) Act of 1983 has a provision for a tribunal. But no tribunal has been constituted in Delhi under the Foreigners' Act. And as for the Illegal Migrants (DT) Act, well, that's not valid in Delhi.

In effect, this means that the authorities can decide that anybody is an illegal immigrant and can throw him out of the country. There is nothing a victim can do by way of protest. There is no appeal at all.

Thirdly, because the police are not very good at identifying illegal immigrants, they rely on a network of local informers who point out the so-called Bangladeshis. Because these informers are trusted implicitly by the police, they have complete power over their communities. Anybody who does not keep them happy will be deported unless he then pays off the local police. This is a system that lends itself to injustice and corruption and, of course, these are exactly the consequences that follow.

Fourthly, the Task Forces work on the basis of a quota. In a manner reminiscent of the sterilisation quotas during the Emergency, each Task Force has to identify 100 illegal Bangladeshi immigrants every day. Obviously, the police cut corners in an effort to fill this quota - even if this means deporting non-Bangladeshi Muslims.

And finally, there is a complete violation of all international protocol. Diplomatic procedure requires that if you are deporting nationals of another country, you inform that country's embassy or high commission. But nobody bothers to inform the Bangladeshi Mission.

What worries me the most about all this is that we in the media have been happy to go along with the Bangladeshi migration scare despite its plainly xenophobic and frankly communal nature. Perhaps this is because the victims of the injustice - the poorest of the poor, rag-pickers, slum-dwellers etc - do not constitute our readership or viewership or impinge on our world.

But this is no longer about poor people or even about Bangladeshis. It is about how we define ourselves as a society. Are we to become a country that allows policemen to pick up anybody they like and throw him

out without any kind of due process? Or are we to be a society of laws where everyone has the right to be heard and where justice is freely dispensed?

How you answer those questions does, I think, determine your response to the drive against Bangladeshi migrants.

P.S.

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