Paula Banerjee, Anasua Basu Ray Chaudhury and Atig Ghosh (eds), *The State of Being Stateless: An Account of South Asia.* Hyderabad: Orient BlackSwan. 2016. 300 pages. ₹ 675.

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The Calcutta Research Group, to which the authors of this volume belong, is a true 'rainbow coalition' of academics, lawyers, activists, trade unionists, journalists and women's rights thinkers, and one of the few independent forums in India that has carved out a niche for itself in the scholar-activist world for its policy studies on autonomy, human rights, women's dignity, issues of forced displacement and migration, peace and conflict resolution, citizenship, borders and border conflicts and other themes relevant to democracy. In keeping with the stated objective of the group's emphasis on the East and the Northeast in its research and dialogues, the book under review looks primarily at issues of statelessness in East and Northeast India with two of the seven case studies examining other stateless communities. One analyzes the Sri Lankan repatriate situation in Tamil Nadu in South India and the other looks at the situation of the Hindu population who migrated after the Partition (1947) and Indo-Pak wars (1965 and 1971) in India in Jammu and Kashmir. What is distinctive about this volume is the focus on a unique South Asian phenomenon of near statelessness or what the editors so accurately describe as 'in-between people' and more importantly it attempts to 'understand that citizenship and stateless are part of the same grid' (p. 2). This is an important dimension of statelessness, as the question of rights is inextricably bound to questions of citizenship. In other words, the authors of these essays see the phenomenon as not merely legal and a mere acknowledgement by the state hardly means anything on the ground. This is ably demonstrated by looking at distinct communities, such as the issue of Gorkhas in North East India; the Chinese of Calcutta; Chakma refugees in Arunachal Pradesh; the problem of Lhotsampas (an ethnic Nepali community living in Bhutan); and the stateless people in Indo-Bangladesh enclaves.

Three sets of questions are raised by the contributors (a heterogeneous crew of social scientists, human rights activists, lawyers and journalists). (i) How are certain groups and communities rendered stateless or 'near stateless'? Why are minorities more vulnerable to statelessness than others in ethnically diverse states of South Asia? Is the distinction between refugeehood and statelessness wearing thin? (ii) Are the existing legal regimes in South Asia adequate to deal with the problem of statelessness or 'near statelessness'? (iii) Do policymakers need to think beyond legal frameworks? Does the answer lie in activating and strengthening civil society institutions and initiatives? (pp. 11–12).

In a memorable phrase, Hannah Arendt said citizenship is about having 'the right to have rights'—and not any particular civil, social or legal right, but every right of recognition, inclusion and membership in both political and civil society. This has to be read as rights functioning in two distinct registers—the first

is the right to dignity and human personhood and being given due recognition as a full member in a social and political community; the second one is the legal and civil belonging to a polity. What is important to note here is that for Arendt the second kind of right—the legal and political rights—without the first—the recognition as a full member of the community as a moral equal—would be futile and empty. The right to have rights involves the right to membership in a political body and the right to be recognized by others as a moral equal, treated by the same standards and values and due to the same level of respect and dignity as all other members and as a full part of the human community. The contributors to this volume have precisely zeroed in on these dual registers.

The essays are ethnographically rich, and the question of 'history' is included in the analysis for the first time, even if the complexity of the 'historical' is given a short shrift. The 'historical' is seen just as series of 'happenings' rather than productive. A case in point would be the essay on the Tamil 'plantation repatriates' from Sri Lanka in Tamil Nadu. While the author (Anasua Basu Ray) is right in pointing to the 'fear' of the Sri Lankan political class in giving full citizenship rights to the 'Indian Tamil', what is not raised is the question how a community marked just as 'Tamils' in the first Ceylon census became 'Plantation Tamils' and then 'Indian Tamils'. Nor is there an analysis of the consequences of using one term or the other or even a discussion as to why a particular term is used. On a different note, the repatriates (or the 'stateless' in other case studies of the volume) come across as passive agents in the machinations of the state and bureaucracy. This is hardly the case. People in such circumstances acquire ways and methods of dealing with the state as a characteristic part of everyday strategy which is informal and spontaneous, simultaneously leaving policies of control devised by the state in shambles. Atig Ghosh's essay touches on this but does not explore it in depth. This sort of manoeuvring requires little or no coordination, is highly adaptable and lacks the design and discipline of the more organized sort which the essay brings out. It should also be said at times that this sort of manoeuvring can spontaneously coalesce into an organized movement too, as it did in the case of the Plantation Tamils. I am here not talking about individual 'agency' but 'agentive moments' where the 'marginal' counters the hegemonic, which by virtue of their institutional invisibility, activities on anything less than a massive scale are, if they are noticed at all, rarely accorded any social significance. It is these 'agentive moments' that bring out the complexity of the 'life world' which the essays set out to examine.

This volume, however, is unique and exceptional in many ways (e.g., compared to Partha Ghosh's *Migrants, Refugees and Stateless in South Asia*). The authors break new ground in raising two issues: The predicament of 'near statelessness' has so far not been broached in South Asia; nor has there been any thorough analysis of the enormously complex issue of 'enclaves'. The essays make it clear, and rightly so, that the existing regime of legal frameworks in South Asia is hardly adequate to tackle what is an issue (i.e., 'near statelessness') of grave concern. However, one cannot help wonder if the very diversity of South Asia, which the authors point to, combined with complexity of everyday problems that people face, renders the problem of 'statelessness' or 'near statelessness' invisible to civil society. Going back to Arendt, the ontological right to recognition and inclusion can only be conferred by a political body.

The essays on the plight of the Chakmas and Sri Lankan repatriates teach us that possessing formal nation-state citizenship alone is an inadequate foundation for being recognized as a fully rights-bearing person. Full recognition clearly requires membership in both an organized polity and a thriving civil society. In the absence of membership in civil society—on which much of human freedom is contingent—recognition by the state as a full rights-bearing citizen and by the communities in which they cohabit as a fellow human of equal worth and value will also be missing. It is worth recalling the words of Justice Warren, who in a dissent note (in *Perez US 356* [1958]), observed that 'Citizenship is man's basic right for it is nothing less than the right to have rights. Remove this priceless possession and there remains a stateless person, disgraced and degraded in the eyes of his countrymen.… His very existence is at the sufferance of the state within whose borders he happens to be…[he] would presumably enjoy, at

most, only the limited rights and privileges of aliens, and like the alien he might even be...deprived of the right to assert any rights.'

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