

**DECONSTRUCTING DOCUMENTARY CITIZENSHIP:
AN ETHNOGRAPHY OF FOREIGNERS' TRIBUNALS IN ASSAM**

FARIYA YESMIN



DEPARTMENT OF HUMANITIES AND SOCIAL SCIENCES

INDIAN INSTITUTE OF TECHNOLOGY DELHI

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ASSAM**

by

FARIYA YESMIN

DEPARTMENT OF HUMANITIES AND SOCIAL SCIENCES

Submitted

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To Amma & Abba,

For everything!

Certificate

This is to certify that the thesis entitled **Deconstructing Documentary Citizenship: An Ethnography of Foreigners' Tribunals in Assam**, being submitted by **Fariya Yesmin** to the Department of Humanities and Social Sciences, Indian Institute of Technology, for the award of **Doctor of Philosophy** is a record of bonafide work carried by her under my supervision. In my opinion, the thesis has reached the standards of fulfilling the requirements for submission relating to the degree.

The contents of the thesis have not been submitted in part or full, to any other university or institute for the award of any other degree or diploma.

Dr. Farhana Ibrahim

Professor and Head

Sociology and Social Anthropology

Department of Humanities and Social Sciences

Indian Institute of Technology, Delhi

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Abstract

This thesis is a critical inquiry into citizenship based on the ethnographic study of the foreigner detection process in the Indian state of Assam. It explores the production of the 'citizen' beyond a political and legal category by looking at the sociological underpinnings of what it means to be a citizen through the acquisition – and loss – of citizenship as an iterative process. The thesis critically explores the documentary fetish of the current citizenship discourse in India through an ethnographic examination of the legal production of truth in Assam's Foreigners' Tribunals that significantly alters the document centrism of the state and its people. The thesis looks at the construction of both citizenship and 'illegality' within the domain of law as something that the law allows and often facilitates through the various procedural, certificatory, technical, and bureaucratic requirements that the state and law demand of the people. Legal 'truth' is a production of such procedural and technical correctness of paper and performances. The thesis reiterates how the law is localized and charged with affect rather than legal rationality. It does so by uncovering the Foreigners' Tribunal, a quasi-judicial institution. It traces the ethnographic life of citizenship laws in it through the procedure and interactions with people associated with decision-making in these tribunals. Cartographic borders are experienced inside the courtroom of these tribunals through the daily conversations around stereotyped migrant bodies and moral panics around them. Outside the courtroom, the memory and experience of the trial are described differently and often shared in fragments by family members through shared struggles that do not find a place in the courtroom narrative. While criminality and what comprises crime is a constructed category, the denial of labour, hierarchy of the quality of life and provisions allowed to prisoners vis-à-vis the detainees inside the detention camps show how the state treats borders and their supposed crossing as a crime graver than most others.

सार

यह थीसिस भारतीय राज्य असम में विदेशी पहचान प्रक्रिया के नृवंशविज्ञान अध्ययन पर आधारित नागरिकता की एक महत्वपूर्ण जांच है। यह एक पुनरावृत्ति प्रक्रिया के रूप में नागरिकता के अधिग्रहण - और हानि - के माध्यम से नागरिक होने के समाजशास्त्रीय आधारों को देखते हुए राजनीतिक और कानूनी श्रेणी से परे 'नागरिक' के उत्पादन की पड़ताल करता है। यह थीसिस असम के विदेशी न्यायाधिकरणों में सत्य के कानूनी उत्पादन की नृवंशविज्ञान परीक्षा के माध्यम से भारत में वर्तमान नागरिकता प्रवचन के वृत्तचित्र बुत की गंभीर रूप से पड़ताल करती है जो राज्य और उसके लोगों के दस्तावेज केंद्रवाद को महत्वपूर्ण रूप से बदल देती है। थीसिस कानून के क्षेत्र के भीतर नागरिकता और 'अवैधता' दोनों के निर्माण को एक ऐसी चीज़ के रूप में देखती है जिसकी कानून अनुमति देता है और अक्सर विभिन्न प्रक्रियात्मक, प्रमाणन, तकनीकी और नौकरशाही आवश्यकताओं के माध्यम से सुविधा प्रदान करता है जो राज्य और कानून लोगों की मांग करते हैं। कानूनी 'सत्य' कागज और प्रदर्शन की ऐसी प्रक्रियात्मक और तकनीकी शुद्धता का उत्पादन है। थीसिस दोहराती है कि कैसे कानून स्थानीयकृत है और कानूनी तर्कसंगतता के बजाय प्रभावित करने का आरोप लगाया गया है। यह एक अर्ध-न्यायिक संस्था, फॉरेनर्स ट्रिब्यूनल को उजागर करके ऐसा करता है। यह इन न्यायाधिकरणों में निर्णय लेने से जुड़े लोगों के साथ प्रक्रिया और बातचीत के माध्यम से नागरिकता कानूनों के नृवंशविज्ञान जीवन का पता लगाता है। इन न्यायाधिकरणों के न्यायालय कक्ष के अंदर रूढ़िवादी प्रवासी निकायों और उनके आसपास नैतिक दहशत के बारे में दैनिक बातचीत के माध्यम से कार्टोग्राफिक सीमाओं का अनुभव किया जाता है। अदालत कक्ष के बाहर, मुकदमे की स्मृति और अनुभव को अलग-अलग तरीके से वर्णित किया जाता है और अक्सर साझा संघर्षों के माध्यम से परिवार के सदस्यों द्वारा टुकड़ों में साझा किया जाता है, जिन्हें अदालत कक्ष की कहानी में जगह नहीं मिलती है। जबकि आपराधिकता और जिसमें अपराध शामिल है, एक निर्मित श्रेणी है, श्रम

से इनकार, जीवन की गुणवत्ता का पदानुक्रम और हिरासत शिविरों के अंदर बंदियों की तुलना में कैदियों को दिए जाने वाले प्रावधानों से पता चलता है कि राज्य किस तरह से सीमाओं और उनके कथित पारगमन को एक अपराध मानता है। अन्य लोगों की तुलना में अधिक गंभीर अपराध।

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