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Migration, Citizenship and Belonging in Hyderabad (Deccan), 1946–1956*

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Abstract

Whilst the history of the Indian diaspora after independence has been the subject of much scholarly attention, very little is known about non-Indian migrants in India. This paper traces the fate of Arabs, Afghans and other Muslim migrants after the forcible integration of the princely state of Hyderabad into the Indian Union in 1948. Because these non-Indian Muslims were doubly marked as outsiders by virtue of their foreign birth and their religious affiliation, the government of India wished to deport these men and their families. But the attempt to repatriate these people floundered on both political and legal shoals. In the process, many were left legally stateless. Nonetheless, migrants were able to creatively change the way they self-identified both to circumvent immigration controls and to secure greater privileges within India.

Introduction

The middle of the twentieth century witnessed a transition from an era which was characterized by the relatively free movement of people within the British Empire to a period in which postcolonial nation-states attempted to control flows of migrants more closely. This change left migrants across the former British Empire in an anomalous and often disadvantaged position: Indians in South Africa had limited political rights; the bulk of Indians in Ceylon acquired the nationality of neither India nor Ceylon; Indians resident in Burma who did not

wish to become Burmese citizens after independence there were made to register and apply for permits to stay; South Asians in Malaya who left the country after independence in 1957 risked being refused re-entry.[1] At some point in the early postcolonial period many of these countries experienced what might be called a crisis of citizenship, in which the breaking of imperial bonds of migration, trade and finance was proffered as the solution to a wide variety of postcolonial ills. Thus, General Ne Win put pressure on Indians to leave Burma in 1962,[2] Kenya placed restrictions on the rights of Indians in the late 1960s,[3] and Idi Amin expelled Asians from Uganda in 1972.[4] Much less is known, however, about the fortunes of people of non-Indian origin in India.[5] The following pages track the fate of Arabs, Afghans and other groups of Muslim migrants in Hyderabad after this princely state was forcibly integrated into the Indian Union in September 1948.

In the interregnum between independence and the introduction of the Indian Constitution on 26 January, 1950, the government of India took practical steps to ensure that the actual movement of people into India was restricted.[6] This included the introduction of permits and, later, passports for those travelling between Pakistan and India.[7] Moreover, shortly after independence Afghans in India were required to be in possession of passports.[8] In Hyderabad the Military Governor and the unelected ministry sought to send many people of non-Indian origin to their 'home' countries.

This paper tracks the government of India's plan to repatriate these men and their families and makes three main arguments. First, it suggests that, for India, the shift from empire to nation-state was

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[1] Hugh Tinker, 'Indians Abroad: Emigration, Restriction and Rejection' in Michael Twaddle (ed.), *Expulsion of a Minority: Essays on Ugandan Asians* (London: The Athlone Press for the Institute of Commonwealth Studies, University of London, 1975), pp. 15–29.

[2] *Ibid.*

[3] Daniel Rothchild, 'Kenya's Minorities and the African Crisis over Citizenship', *Race (London),* vol. 9, no. 4 (1968), pp. 421–37.

[4] Twaddle, *Expulsion of a Minority.*

[5] *cf.* Ellen Oxfeld, *Blood, Sweat and Mahjong: Family and Enterprise in an Overseas Chinese Community* (Ithaca: Cornell University Press, 1993).

[6] Joya Chatterji, 'Partition, Migration and Citizenship in South Asia, 1946–2006' paper presented at workshop, *From Subjects to Citizens* (4 September 2008).

[7] Vazira Fazila-Yacoobali Zamindar, *The Long Partition and the Making of Modern South Asia: Refugees, Boundaries, Histories* (New York: Columbia University Press, 2007), Chapters 3 and 5.

[8] Departmental note by B. K. Kapur, 19 May, 1948, National Archives of India (hereafter NAI), Ministry of States (hereafter MoS), f.59-H/48.

complicated not only by the huge migrations of partition, but by the presence of significant numbers of Indians in other British colonies and migrants from the Empire in India. This meant that the government of India's calculations about its citizens were never confined within the country's boundaries. Of course, India was not unique in this respect. Just as other historians have suggested, this research argues that the fact of migration was central to the process by which the Indian nation was demarcated.[9]

However, and this is the second argument, formal legal questions of citizenship and residency were reliant upon more informal, on the ground negotiations over the meaning of nationality and the nature of belonging. The shift towards a world of nation-states precipitated the emergence of a legal regime governing nationality in former British colonies that often conflicted with precisely those ethnic conceptions of belonging that had given rise to the demand for independence in the first place. In principle, this new legal framework required documentary evidence to prove one's citizenship, including birth certificates and passports, in order to establish the right to enter a country either for travel or to work.[10] Whilst the existing literature places great stress on the importance of this documentary regime, this paper argues that, in practice, the authorities were heavily dependent upon both the self-identification of individuals and the everyday understandings of belonging, even for the production of these documents. Thus, this research engages with scholars who have noted the dissonance between a formal rhetoric of secularism and informal attitudes and practices which excluded Muslims from the Indian nation.[11] It extends this particular question to ask whether Muslims of Afghan and Arab origin could hope to retain any sense of belonging in postcolonial India.

[9] Radhika Viyas Mongia, 'Race, Nationality, Mobility: a History of the Passport', *Public Culture*, vol. 11, no. 3, (1999), pp. 527–535.

[10] This framework had been developing since the nineteenth century. On the history of the passport, and the regulation of migration see, John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (Cambridge, Cambridge University Press, 2000); Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality* (Cambridge: Cambridge University Press, 2007).

[11] Gyanendra Pandey, 'Can a Muslim be an Indian?', *Comparative Studies in Society and History*, vol. 41, no. 4 (1999), pp. 608–629. More recent work has suggested that even formally secular legal regimes tended to be structured in ways that served the interests of Hindu men, see, Eleanor Newbigin, 'The Codification of Personal Law and Secular Citizenship: Revisiting the History of Law Reform in Late Colonial India', *Economic and Social History Review*, vol. 46, no. 1 (2009), pp. 83–104.

Third, and finally, the following pages trace the fortunes of individuals who were excluded from India either by informal understandings or legal regimes, but who were also excluded from their so-called 'home' countries. Many people whom the authorities wished to deport were simply rejected by their home country because they failed to fulfil the documentary requirements to prove their citizenship. It appears that these men and women were left stateless. But this did not mean that they were rendered helpless or trapped between states. On the contrary, individuals often circumvented immigration controls, changed the way they self-identified for their own ends, and used their alien status to try to better their position in India.

Hyderabad and its place in the imperial economy of migration

Notions of nationality and subjecthood within the British Empire had been a rather untidy tangle of local and imperial rules,[12] but in practice everyone within the empire (with some important exceptions, including slaves) enjoyed the freedom to live and work anywhere in the realm. Bolstered by an ideology of free trade and the demographic imperative to settle new lands and move labour to where it was needed, the movement of people within the Empire had been largely unrestricted for much of the nineteenth century.[13] Later, the free movement of certain people within the empire came to be restricted. Thus, flows of indentured labour from South India were subject to more regulation from the late nineteenth century.[14] And the white dominions placed restrictions on Asian immigration from the early twentieth century.[15] By the late 1930s, some, though not all, British colonies required passports for entry, but their primary purpose was to keep out various classes of 'undesirables', ranging from 'prostitutes' and 'habitual drunkards' to circus troupes, rather than to restrict

[12] Ann Dummett and Andrew Nicol, *Subjects, Citizens, Aliens and Others: Nationality and Immigration Law* (London: Weidenfeld and Nicolson, 1990); Daniel Gorman, *Imperial Citizenship: Empire and the Question of Belonging* (Manchester: Manchester University Press, 2006).

[13] Randall Hansen, *Citizenship and Immigration in Post-war Britain: the Institutional Origins of a Multicultural Nation* (Oxford: Oxford University Press, 2000), p. 39. For a study of the ideologies behind imperial immigration policy see, Gorman, *Imperial Citizenship*.

[14] Sunil Amrith, 'Indians Overseas? Governing Tamil Migration to Malaya, 1870–1941', *Past and Present*, vol. 208, no. 1 (2010), pp. 231–261.

[15] Marilyn Lake, and Henry Reynolds, *Drawing the Global Colour Line*.

immigration *per se*.[16] From the 1920s, passports were required for those entering India,[17] but the colonial state willingly declined to enforce its own rules, especially on land routes.[18] Because colonial authorities often neglected to police their borders, even non-British subjects could enjoy relatively free movement within the British Empire. This meant that it was fairly easy to come to live and work on the subcontinent for those who had the financial means to do so.

Hyderabad had long been a desirable destination for migrants from the far reaches of the subcontinent, as well as from Afghanistan, the Arab world and even Southeast Asia. In the late eighteenth century, Hyderabad became a centre of migration for Arabs from the Hadhramaut, who worked as soldiers and scholars in the state.[19] In the early part of the nineteenth century, the Nizam of Hyderabad provided refuge for Arab, Rohilla, Sikh and Pathan (Pashtun) mercenaries, whom the British wished to expel after the defeat of the subcontinent's many warring states, including the Marathas.[20] Once in Hyderabad these migrants took up various professions, from trade and money-lending, to employment in the Nizam's army, or his special Arab irregular forces, the Nazm-i Jamiat, the latter of which exercised watch and ward duties over the palaces of the Nizam and his family. Hyderabad actively recruited immigrants in some cases. When Salar Jung I reorganised the Nizam's administration in the second half of the nineteenth century, for example, he brought in talented administrators from North India, many of whom had been educated at the Muhammedan Anglo-Oriental College in Aligarh.[21] Hyderabad

[16] For details on the rules in each colony see, Passport Control Manual, 1939, India Office Records, British Library (hereafter IOR), L/P&J/8/745; Summary of Visa Regulations, January 1947, IOR L/P&J/8/745.

[17] Indian Passport Act (XXXIV of 1920), and Passport Rules, 1921, IOR L/P&J/8/736.

[18] Deputy Secretary to the Government of India, Foreign & Political Department, to the Chief Secretary to the Government of Burma, the Chief Secretary to the Government of NWFP, His Majesty's Envoy Extraordinary & Minister Plenipotentiary at the Court of Afghanistan, and the Agent to the Governor General and Chief Commission in Baluchistan, 28 December, 1934, IOR L/P&J/8/736.

[19] Omar Khalidi, 'Sayyids of Hadhramout in Early Modern India', *Asian Journal of Social Science* vol. 32, no. 3 (2004), pp. 329–345.

[20] Omar Khalidi, 'The Hadhrami Role in the Politics and Society of Colonial India, 1750s–1950s' in Ulrike Freitag and William G. Clarence-Smith (eds), *Hadhrami Traders, Scholars and Statesmen in the Indian Ocean, 1750s–1960s* (Leiden: Brill, 1997), pp. 67–81.

[21] Francis Robinson, *Separatism Among Indian Muslims: the Politics of the United Provinces' Muslims 1860–1923* (Delhi: Oxford University Press, 1993), pp. 26, 123–124.

State thus accumulated a significant population of Afghans, Arabs, and North Indians.[22] Many migrants adopted Urdu as their language and married locally, and their mixed descendents added yet more diversity to Hyderabad's population. In addition to these Muslim migrants, the Nizam's government also welcomed Kamma settlers from the Telugu-speaking areas of Madras to bring uncultivated lands in Telangana under the plough.[23] At the same time, migrants did not all move in one direction: a considerable number of weavers left the state in the nineteenth and early twentieth centuries to settle in the main weaving centres of Bombay province where demand for their goods was higher.[24] As a result, Hyderabad had become a rather cosmopolitan place: its mixed population was supported by an official ideology epitomized by Hyderabad's court and nobility, which were famed for their inclusiveness.[25]

This did not mean that Hyderabad's population lived in perpetual harmony; this mix did suffer occasional crises. Hyderabadis protested against the entry of outsiders, or 'non-mulkis', into the services after Salar Jung I recruited North Indians into the administration.[26] In the 1850s, Arabs were deemed to be a 'menace' for their alleged involvement in money-lending and the violence which often accompanied the collection of loans. Hyderabadi and British authorities combined to stem the problem: the British restricted the entry of Arabs at the port of Bombay, and Salar Jung I established a special court (Qadat-i Urub) to deal with cases involving Arabs.[27] Nearly a century later, after the Second World War, Arabs again found themselves unwelcome in the state. The Nizam's government asked the British for permission to extern Arabs from the state, not only because of

[22] See, Omar Khalidi, *Muslims in the Deccan: a Historical Survey* (New Delhi: Global Media Publications, 2006).

[23] A. Satyanarayana, 'A Note on Land, Caste and the "Settler" in Telangana' in S. Simhadri and P. L. Vishweshwer Rao (eds), *Telangana: Dimensions of Underdevelopment* (Hyderabad: Centre for Telangana Studies, 1997), pp. 30–34; and Inukonda Thirumali, *Against Dora and Nizam: People's Movement in Telangana* (New Delhi: Kanishka Publishers, 2003).

[24] Douglas Haynes, and Tirthankar Roy, 'Conceiving Mobility: Weavers' Migrations in Pre-Colonial and Colonial India', *Indian Economic and Social History Review*, vol. 36, no. 1, (1999), pp. 35–67.

[25] Karen Leonard, 'The Hyderabad Political System and its Participants', *The Journal of Asian Studies* vol. 30, no. 3 (1971), pp. 569–582.

[26] Karen Leonard, 'Hyderabad: the Mulki non-Mulki Conflict' in Robin Jeffrey (ed.), *People, Princes and Paramount Power: Society and Politics in the Indian Princely States* (Delhi: Oxford University Press, 1978), pp. 65–106.

[27] Khalidi, 'Hadhrami Role in the Politics and Society of Colonial India', pp. 76–77.

their alleged involvement in money-lending and drug use, but because some members of the Nazm-i Jamiat had come into conflict with the dominant political force in the state, the Ittehadul Muslimin.[28]

Independence, partition and Hyderabad

In 1947, as India and Pakistan gained independence, the princely states were left in legal and political limbo.[29] Hyderabad, like Kashmir, chose not to join either of the two dominions.[30] As the Nizam's government tried to negotiate its way out of joining the Indian Union, Hyderabad's cosmopolitan society faced several crises, from a communist insurgency to the rising militancy of the Razakars, who promoted Muslim rule in the state. Although Hyderabad was not disconnected from developments in the rest of the subcontinent, its politics had not crystallized along religious lines in the way that all-India politics did in the months surrounding August 1947. But as strife within Hyderabad escalated, the state was drawn into a discursive interpretation of all-India politics which was dominated by the experience of partition.

Hyderabad's nascent internal politics were fragmented along linguistic, caste and religious lines, but the state's political divisions did not directly correspond to those in the rest of India. Linguistic affinities tended to define the major parties in the state, with separate organizations for Kannada speakers and Marathi speakers, whilst in the Telugu-speaking areas in the east of the State, the Andhra Maha Sabha, with its communist agenda, was the dominant political force. During the war, the communists in Telangana had begun an insurgency against landlords and the forces of the Nizam that continued after 1947.[31] For its part, the Hyderabad State Congress had pretensions to unite the entire state, but in effect its three

[28] Extract from a secret note from W. V. Grigson, Revenue and Police Member, H.E.H. the Nizam's Executive Council, Hyderabad, [undated], NAI, MoS, f.117-P(S)/47.
[29] Ian Copland, 'Lord Mountbatten and the Integration of the Indian States: A Reappraisal', *Journal of Imperial and Commonwealth History*, vol. 21, no. 2 (1993), pp. 385–408.
[30] On the failed negotiations to bring Hyderabad into the Indian Union see, Lucien D. Benichou, *From Autocracy to Integration: Political Developments in Hyderabad State (1938–1948)*, (Chennai: Orient Longman, 2000), Chapter 6.
[31] Thirumali, *Against Dora and Nizam*.

linguistic groups operated in relative autonomy from one another. When the Nizam failed to accede to India by 15 August, 1947, the Hyderabad State Congress launched a campaign designed to force the Nizam to join the Indian Union that included both non-violent protest and anti-government acts of violence.[32] Language was not the only fault line in Hyderabadi politics, however. By 1947 the Hyderabad State Congress and the Andhra Maha Sabha were demanding that the Nizam accede to the Indian Union. But both the main dalit parties, the Depressed Classes Association and the Depressed Classes Conference, had declared that they wished to stay out of the Union in order to avoid being dominated by caste Hindus.

Finally, there was the Majlis-i Ittehadul Muslimin, which had been established in 1927 and claimed to represent the interests of Hyderabad's Muslim population. At its inception, the Ittehad had criticized the Nizam's rule, and pushed for more representative government, but on the basis that Muslims should rule Hyderabad. By 1947, the party held significant influence over the Nizam. At partition, the party supported both the creation of Pakistan and the idea that Hyderabad should stay out of the Indian Union.[33] As communists and nationalists stepped up their own campaigns, the Ittehad's paramilitary volunteers, the Razakars, set about realising the Ittehad's pro-Muslim agenda with aggression against anyone whom they considered to be an enemy of the regime. Of course, not all Muslims were united, let alone united in support of the Ittehad: both nationalists and communists counted Muslims amongst their ranks, and there had been fighting between members of the Arab Nazm-i Jamiat and members of the Ittehad.[34] These squabbles were the source of the attempt to deport Arabs, as cited above. Furthermore, many government servants saw the spike in Muslim-chauvinist sentiment inspired by the Ittehad and the Razakars as a betrayal, not only of Hyderabad's cosmopolitan ethos, but also of Islam.[35]

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[32] Swami Ramananda Tirtha, *Memoirs of Hyderabad Freedom Struggle* (Bombay: Popular Prakashan, 1967), pp. 176–187.

[33] Carolyn M. Elliott, 'Decline of a Patrominal Regime: The Telengana Rebellion in India, 1946–1951', *The Journal of Asian Studies*, vol. 34, no. 1 (1974), pp. 27–47, especially p. 35.

[34] Extract from a secret note from W. V. Grigson, Revenue and Police Member, H.E.H. the Nizam's Executive Council, Hyderabad, [undated], NAI, Ministry of States, f.117-P(S)/47.

[35] Fareed Mirza, Tehsildar, to the First Taluqdar, Nander District, 15 July, 1948, NAI, MoS, f.104-H/48.

Although the fault lines in Hyderabad's many internal conflicts did not run neatly along religious lines, Hyderabad's political situation nonetheless came to be seen through the same lens as the disturbances of partition in North India. The structure of rule in the state, where a predominantly-Muslim government held power over large numbers of the disadvantaged, many of whom were Muslim, but the majority of whom were Hindu, appeared to divide the population along religious lines. This was especially so as the Nizam's forces, who were mostly Muslim, descended to suppress the communists and nationalists, the bulk of whom were Hindu.

In addition, two short-term trends increased the perception in New Delhi that Hyderabad was a state run by Muslims for Muslims. Firstly, the Ittehad and the Razakars, who wished Hyderabad to avoid accession to the Indian Union consciously remoulded Hyderabad's image into that of a Muslim State. They attempted to recruit men from across the Muslim world to fight to protect Hyderabad's 'Muslim State against the invasion of Hindus'.[36] According to Indian Government documents, former members of Hyderabad's army were sent to Afghanistan and to Pakistan's North West Frontier Province (NWFP) to recruit forces to protect the state.[37] In turn, the government of Bombay refused entry to men from the Frontier and the Hadhramaut on the ground that they were expected to travel to Hyderabad in order to enlist in the Nizam's forces.[38] Secondly, thousands of Indian Muslims sought the protection of the Nizam during the violence of partition. The Nizam's Palace in New Delhi was used to house more than 1,500 Muslims who had sought shelter from the violence which engulfed the capital in September 1947.[39] And several hundred thousand Muslims left India and established themselves in Hyderabad, especially in Hyderabad City.[40]

[36] D. K. Krishna, Assistant Director (States), Intelligence Bureau, Ministry of Home Affairs to V. P. Menon, Ministry of States, 25 May, 1948, NAI, MoS, f.59-H/48.

[37] Government of Central Provinces to Ministry of Foreign Affairs, New Delhi, 25 May, 1948, NAI, MoS, f.59-H/48.

[38] Copy of telegram from Restis, Bombay to Homex, New Delhi, 9 April, 1948, NAI, MoS, f.198-P/48; Secretary to the Government of Bombay, Home Department to the Secretary to the Government of India, Ministry of States, 7 August, 1948, NAI, MoS, f.59-H/48.

[39] The Superintendent, H.E.H. the Nizam's Palace, New Delhi, to the Political Secretary, H.E.H. the Nizam's Government, Hyderabad Deccan, 25 November, 1947, APSA, Installment no. 70, list no. 6, serial no. 53.

[40] Government estimates put the number of North Indian refugees in Hyderabad at around seven lakhs, Note by Raja Dhondi Raj Bahadur, Minister for Rehabilitation, 5 August, 1949, NAI, MoS, f.10(27)/49.

As the Nizam's forces bore down more heavily on their opponents in Hyderabad, and non-Hyderabadi Muslims gathered in the state, the territory was drawn into an all-India narrative of partition. Although each locality, indeed, each person, experienced partition in a unique way, as Pandey has shown, these separate instances of violence were often given larger significance as they were transposed into events of national suffering. Thus, individual acts of violence became national wrongs and entire communities were rendered undifferentiated and suspect.[41] The catastrophe of partition produced a postcolonial polity in which political parties organized around Muslim interests were almost completely discredited, and the loyalty of Muslims in India was easily cast in doubt. These views informed the government of India's treatment of Muslims who wished to return to or remain in India after partition.[42] They also shaped the treatment of Muslims amongst communities of overseas Indians in the remaining British colonies, including Kenya.[43] They certainly coloured interpretations of the situation in Hyderabad, for the government of India concluded that the unrest in Hyderabad threatened to destabilize 'the communal situation in the whole of India', and decided to invade the state to restore order.[44] On 12 September, 1948, therefore, the government of India launched its 'Police Action' in Hyderabad. In spite of the name, the move really entailed a full scale military invasion of the state. Although the formal invasion was concluded very quickly, the state witnessed widespread anti-Muslim violence in its aftermath.

The official view of Afghans, Arabs and Pakistanis—Razakars and outsiders

The fact that Hyderabad had been woven into that all-India partition narrative by September 1948 was important because it informed the way the government of India and the Military Governor in Hyderabad viewed questions of belonging in the state after the invasion. Thus,

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[41] Gyanendra Pandey, *Remembering Partition: Violence, Nationalism and History in India* (Cambridge: Cambridge University Press, 2001), Chapter 5.

[42] Zamindar, *The Long Partition*, especially Chapter 3.

[43] Deborah Sutton, 'Divided and Uncertain Loyalties: Partition, Indian Sovereignty and Contested Citizenship in East Africa, 1948–1955', *Interventions* vol. 9, no. 2 (2007), pp. 276–288.

[44] Note for the Cabinet by V. P. Menon, Secretary to the Government of India, Ministry of States, May 1948, NAI, MoS, f.1(6) H, 1948.

there was widespread distrust of Muslims in Hyderabad as Major General J. N. Chaudhuri led Indian troops into the territory. As Military Governor, Chaudhuri wanted to rid the state of non-indigenous Muslims. There was a remarkable absence of debate in government over whether this policy was legally permissible. Indeed, in the lack of legal clarity which prevailed at the time, the idea that non-indigenous Muslims may have had rights to residence or even citizenship in India was not raised. Instead, everyday understandings of belonging determined the fate of these men and their families.

Suspicion of Muslims dominated the Military Governor's policy from the inception of the occupation. As they swept into the state, Chaudhuri's forces arrested thousands of people: the Nizam's military forces were detained as they surrendered, and approximately 17,000 civilians were imprisoned on suspicion that they were engaged in anti-Union activities. Chaudhuri explained, 'Naturally, among those arrested, the majority were Muslims . . . They had been pointed out as Razakars by people who were, at that time, considered reliable'.[45] In the post-invasion lexicon, the term Razakar did not necessarily denote only those who were members of the volunteer corps. Rather, it was widely used to describe anyone suspected of Muslim chauvinism or of opposition to the integration of Hyderabad into the Indian Union. As Chaudhuri's observation makes clear, it was widely assumed—incorrectly—that most Muslims were Razakars.

By one non-official estimate, as many as 25,000 Arabs were jailed in the aftermath of the invasion.[46] A separate non-official source suggested that around 2,500 Afghans were also held.[47] According to government figures around 6,225[48] people described as 'Pakistani nationals', who had worked not only in the Nizam's forces but as petty traders, shopkeepers, money-lenders, masons and mechanics, were also detained in various camps around the State.[49] The latter is a particularly curious category given that the legal regime regarding

[45] J. N. Chaudhuri, Military Governor, to the Deputy Secretary to the Government of India, Ministry of States, 17 February, 1949, NAI, MoS, f.12(4)-H/49.

[46] Note by Saif bin Sultan Husein bin Abdulla bin Umar Al Quaiti, LLM, MA, [undated], National Archives UK, DO 142/441.

[47] Translation of cutting from *Afghan* (Karachi), 10 February, 1949, NAI, MoS, f.12(4)-H/49.

[48] Minutes of a discussion held in the Ministry of External Affairs, Government of India, with regard to the question of the repatriation of Pakistan Nationals from Hyderabad (Deccan), [undated], NAI, MoS, f.10(12)-H/49.

[49] Note by Jagat Singh, Ministry of External Affairs, 18 April, 1949, NAI, MoS, f.10(12)-H/49.

nationality was anything but clear at this time. The Military Governor argued that it was 'absolutely necessary to get rid of the Pathan and Arab outsiders in Hyderabad as quickly as possible'.[50] His Government, in co-ordination with the central government, decided to deport these men to their countries of origin. By one estimate there were around 21,000 people to be deported,[51] and most would have to be kept in detention camps until they could be escorted from the country.

As they were awaiting deportation, their families were also detained. At this time, women and children under the age of 16 did not have separate rights of nationality or domicile in international law. Instead, their rights were legally bound to those of their husband or father. Thus, the government made plans to deport the Indian-born wives and children of these migrants. In the meantime, the men and their families were held in detention camps, behind barbed wire and under armed guard.[52] Within a short time, many in the camps had spent all their ready cash and were in dire straights. One group of former members of the Nizam's forces who were waiting to be sent to Pakistan lamented that, 'We have no clothes to cover ourselves and we have no money to look after the other personal necessaries of life'. They decried the conditions of the camp, writing, 'The ladies are in a very depressed state and shocked at their imprisonment in a barbed-wire fence and separated from their husbands...The future of our children is being ruined recklessly, as we are unable to educate them.'[53] Chaudhuri, acknowledging the poor conditions in the camp, told the Centre, 'morale in Dhond camp [is] extremely low', and he urged the government of India to expedite the removal of the detainees.[54]

As it became clear that Indian forces had acted with excessive zeal in detaining these Muslims on the assumption that they were Razakars, new rationales were developed for their detention and removal from the state. Writing of the Afghans, Chaudhuri stressed the fact that,

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[50] Foreign New Delhi to the Chief Secretary to the Government of Bombay, 14 October, 1948, NAI, MoS, f.175-H/48.

[51] Southern Command Adm. Instr. no. 50, Repatriation Camp Dhond, 8 October, 1948, NAI, MoS, f.175-H/48.

[52] Milgov Hyderabad State to Foreign New Delhi, 16 March, 1949 (received), NAI, MoS, f.10(12)-H/49.

[53] Q. Bahadur, Hav/Cl 8th Hyderabad Infantry and 21 others to the Military Governor, Hyderabad, 19 March, 1949, NAI, Ministry of States, f.10(12)-H/49.

[54] Milgov Hyderabad State to Foreign New Delhi, 16 March, 1949 (received), NAI, MoS, f.10(12)-H/49.

'Afghan nationals here live mostly by money-lending'. The Military Governor was willing to acknowledge that, 'Though perhaps a greater proportion of them did not take much part in the Razakar movement', he nonetheless insisted that, 'some of them definitely did, while others naturally used the Muslim domination obtaining at the time for their own ends. As a result, they were possibly not the most popular community in Hyderabad'.[55] Even this new rationale—their unpopularity as moneylenders—was not based on solid evidence, as many Afghans were in fact businessmen and landholders.[56] Similarly, the Government in Delhi justified the removal of Arabs on the grounds that, after having lost their jobs as the Nizam's forces were disbanded, many Arabs were unemployed, 'without any means of livelihood and with no prospect of future employment'. This, they reasoned, 'would constitute a constant threat to the law and order position in the state'.[57]

The legal rights of those being held awaiting deportation were unclear as the legal regime establishing citizenship and domicile rights was in flux in the subcontinent, especially for individuals residing in princely states. Before the introduction of the Constitutional provisions regarding citizenship on 26 November, 1949 (two months before the rest of the constitution) the old British Nationality and Status of Aliens Act continued to apply in independent India, ensuring that those in the former territories of British India remained British subjects after the British had departed.[58] The residents of princely states, however, had not been British subjects, but rather, had been British Protected Persons. They were, therefore, not covered by the interim arrangements made for British India. When British suzerainty over the princely states terminated on 15 August, 1947, residents of princely states ceased to be British Protected Persons. The government of Hyderabad did issue its own passports for a very brief time between independence and the police action, but these were not recognized

[55] J. N. Chaudhuri to N. M. Buch, Joint Secretary to the Government of India, Ministry of States, 5 March, 1949, NAI, MoS, f.12(4)-H/49.

[56] Note by B. K Kapur, Ministry of External Affairs, 17 February, 1949, NAI, MoS, f.12(4)-H/49.

[57] Note by S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, 18 November, 1948, NAI, MoS, f.175-H/48.

[58] S. K. Agrawala and M. Koteswara Rao, 'Nationality and International Law in Indian Perspective' in Ko Swan Sik (ed.), *Nationality and International Law in Asian Perspective* (London: Martinus Nijhoff Publishers, 1990), pp. 65–123, especially p. 71.

by the government of India.[59] When India invaded Hyderabad, the
people of the state did not automatically become Indian citizens. It
was not until the Citizenship Act of 1955 that persons belonging
to princely states were formally made citizens of India.[60] The court
cases that retrospectively clarified what status individuals had before
the commencement of the constitution or the introduction of the
Citizenship Act were not heard until as late as 1955,[61] meaning that
in the period immediately after the police action, the legal status of
the people of Hyderabad, including those in detention, was uncertain.

At this stage, therefore, formal legal rules about who had the
right to stay in India were less significant than *ad hoc* notions about
who *belonged* in India. In the reasoning of Chaudhuri and the central
government, it was easy to slide from more narrow considerations of
citizenship and residency, which centred on the question of loyalty, to
the idea that persons—or to be accurate, Muslims—who were involved
in certain professions or who were unemployed did not belong in India.
Moreover, this understanding was collective: at this stage, there was
no assessment of the merits of individual Afghans or Arabs—they were
judged as a whole.

These ad hoc assessments were, however, open to negotiation.
Representatives of the Arabs who were detained argued that they
did not deserve to be imprisoned or deported. They produced evidence
that Arabs, too, had been victims of Razakar attacks before September
1948, and that they had condemned the excesses of the Razakars and
Majlis-i Ittehadul Muslimin.[62] The Nazm-i Jamiat, they protested,
had not engaged in the same activities as the Nizam's other forces,
but had 'served the good cause of the public without any distinction
of caste or creed.'[63] And they asked to be given a status analogous to
that of Indians in South Africa. Largely with the help of General El
Edroos, head of the Hyderabad Army, who was himself of Arab origin,
Chaudhuri was persuaded to allow Arabs 'who have settled down

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[59] S. Narayanswamy, Deputy Secretary to the Government of India, Ministry of
States, to the Ministry of Home Affairs, 27 May, 1948, NAI, MoS, f.75(2)-G/Hyd/48.

[60] B. N. Rau, *India's Constitution in the Making* (Calcutta: Orient Longmans, 1960),
p. 338.

[61] Agrawala and Rao, 'Nationality and International Law', pp. 99–104.

[62] Resolution of the Arabs of Jalsa against the Razakars, 21 February, 1945,
National Archives UK, DO 142/441.

[63] Shaiks, etc. and representatives of the Arabs in Hyderabad to Major General
J. N. Chowdary [sic], Military Governor, Hyderabad, 7 November, 1948, National
Archives UK, DO 142/441.

permanently in the State as peaceful citizens' to stay, even though they were 'of non-Indian origin'.[64] With El Edroos' intervention several thousand Arab families were permitted to remain in Hyderabad. This, too, had less to do with rights of residence or citizenship than with an informal understanding between two military men.

Repatriation and reciprocity

The Indian Government had originally proposed that detainees be repatriated to their 'home' states without consultation with the governments of Afghanistan, Pakistan, Indonesia, Saudi Arabia or Aden. But the detention and proposed deportation raised the prospect that any action to dispel these people would have unpleasant consequences for Indian communities overseas. Scholars have remarked upon the fact that the Congress and the government of independent India, which the party led, seemed willing neither to completely abandon nor unconditionally accept overseas Indians.[65] The government of India ensured that commissioners were stationed in British colonies with significant Indian populations, a move which implied that it was unwilling to relinquish the influence it held over these Indians abroad.[66] And yet, Nehru personally urged overseas Indians to take the citizenship of the place where they resided, and warned them that they should not expect aid from 'Mother India'.[67] Unable to absorb more people after the influx of refugees from partition, the government of India was eager to ensure that Indians overseas did not have any reason to return. The presence of Indians overseas, therefore, forced the government to rethink questions of belonging in India itself.

There were clear indications in the press that the security of Indians overseas may have been imperilled if Arabs and Afghans were forcibly deported from Hyderabad. The Karachi-based newspaper,

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[64] Note by S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, 18 November, 1948, NAI, MoS, f.175-H/48.

[65] Sutton, 'Divided and Uncertain', John D. Kelly and Martha Kaplan, 'Diaspora and Swaraj, Swaraj and Diaspora' in Dipesh Chakrabarty and Rochona Majumdar (eds), *From the Colonial to the Postcolonial: India and Pakistan in Transition* (New Delhi: Oxford University Press, 2007), pp. 311–331.

[66] Tinker, 'Indians Abroad', pp. 24–25.

[67] Anirudha Gupta, 'India and the Asians in East Africa', in Twaddle, *Expulsion of a Minority*, pp. 125–139, especially p. 128.

Afghan, contrasted the proposed deportation of Afghans from India with the fact that during the unrest surrounding partition in NWFP, 'thousands of Hindus and Sikhs took shelter in the Holy Land of Afghanistan', and were helped, 'materially and morally' whilst there. The paper protested, 'we have no intention that we should incite the feelings of the Afghan brothers to avenge Hindus and Sikhs residing in Afghanistan. 'But', the paper continued in a sarcastic tone, 'it is our desire that our Afghan brothers should know the result of our kindness and brotherly attitude towards Hindus and Sikhs'.[68] The *Al Nahda* newspaper in Aden published a letter addressing the Commission for India in Aden warning that, 'feeling in Aden and all the Arab world has turned against you because of the worst treatment and brutal action you have taken against the Arabs of Hyderabad especially against the old and the children.' Implying retaliation was not inconceivable, the letter noted, 'Hindus in Aden have lived a peaceful life in Aden among the Arabs for a long time'. The paper asked the Commission to allow the Arabs in Hyderabad to live 'in the same way as the Hindus do in Aden'.[69] The implication was that the fate of the two immigrant groups was tied, and that if Arabs were expelled from Hyderabad, Hindus may be forced to leave Aden.

Seeing the displeasure which the prospect of deportation had incurred abroad, the Ministry of Foreign Affairs fretted that forced repatriation without consultation would be 'bound to strain the relations' between India and these other governments. Above all, the position of Indians in South Africa was a 'very important consideration', according to the Ministry of External Affairs:

There is open talk in South Africa now of the repatriation of persons of Indian origin to India. If the Government of India were to resort to a forced repatriation of a large number of persons of non-Indian origin without any reference to the Governments of the countries concerned, it is bound to be quoted as a precedent against us in any future protest against repatriation of Indians from South Africa.[70]

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[68] Translation of cutting from *Afghan* (Karachi), 11 February, 1949, NAI, MoS, f.12(4)-H/49.

[69] Translation of letter addressed to the Commission for the Bharat Government in Aden, *Al Nahda*, enclosed in a letter from A. B. Commissioner for the Government of India, Aden, to the Secretary to the Government of India, Ministry of External Affairs, 1 December, 1950, NAI, MoS, f.19(5)-H/50.

[70] Note by S. Dutt, Ministry of External Affairs, 15 December, 1948, NAI, MoS, f.175-H/48.

As a result, the deportations had to be delayed as the government of India consulted the home governments of these families.

Here we can see that questions of citizenship and belonging in India were not easily confined within India's borders. Of course, historians have long remarked upon the fact that notions of citizenship in India were shaped by the experience of partition and the creation of Pakistan. But the present research suggests that, although the government of India had an ambivalent relationship with Indians abroad, it was unable to ignore them when considering questions of citizenship and domicile within India. Because the treatment of aliens is so often reciprocal in international law, the presence of Indians overseas affected the treatment of non-Indians within India's borders.

Negotiating citizenship

Negotiated deportation, in turn, ran into difficulties because it took place in the midst of a larger transition. The era of decolonization witnessed the inception of a shift from an imperial regime, in which persons could move relatively freely within the British Empire without much documentation, to an international one that demanded individuals provide documentary evidence to prove their citizenship. But the emerging legal framework for governing nationality did not square neatly with equally contemporary, but not necessarily complementary, conceptions of nationality based on ethnicity. This meant that persons who identified themselves (or were identified by others) as Arab or Afghan did not necessarily meet the legal requirements to be recognized as nationals of their 'home' countries. Legal questions were not the only hurdle: the attempt to remove these 'outsiders' also foundered on the government of India's larger political concerns, especially the struggle over Kashmir.

Negotiations over repatriating Afghans in Hyderabad quickly turned on the tensions between India and Pakistan over Kashmir. As soon as the Ministry of External Affairs broached the subject of sending Afghans home, the Afghan Chargé d'Affaires in Delhi warned the government of India against creating 'a sense of injustice' rankling in the minds of Afghans in Hyderabad. The Chargé d'Affaires reminded the Ministry of External Affairs that Afghanistan did not wish its own nationals to interfere in Kashmiri affairs, but those deported would have to pass through Pakistan to get to Afghanistan, and 'if they were to leave Hyderabad in an angry and disgruntled mood they

would become a prey to Pakistan propaganda'.[71] Given the role that Pashtun tribesmen from NWFP in Pakistan had played in escalating the Kashmir conflict, the government of India was particularly keen to avoid the possibility of adding Afghans to those fighting in Kashmir.[72] The Afghan government agreed that men who had been in the Nizam's forces and 'who had obviously no means of livelihood' ought to be returned, but asked 'for special consideration for Afghan nationals who had been coming to and living in India for scores of years' to be allowed to continue to ply their trades.[73]

Indeed, as a sign of his goodwill, the Chargé d'Affaires travelled to Hyderabad to inform Afghans there, 'about the true relationship between India and Afghanistan, and to emphasize what benefits Afghanistan was receiving from India and generally to persuade them to behave themselves'.[74] In return, the Afghan Government persuaded the government of India to significantly alter its plans. As a result, it adopted a policy of releasing all those Afghans 'who were well off and against whom there was nothing specific'.[75] It allowed Afghans being held in camps to return to Hyderabad, and decided not to deport any Afghans from the State except ex-servicemen, those 'involved or convicted in Razakar activities'[76] and those 'of undesirable character'.[77]

Chaudhuri, acting as Military Governor, was adamant that this much smaller group should be removed from the State, and asked district police to draw up lists of those to be deported. In total, various police authorities recommended that 30 Afghan families be sent to Afghanistan. However, upon enquiry it was found that, 'most of the so-called Afghani-Afghan families have been resident in this State for several generations and that all their present members

[71] Note by K. P. S. Menon, Ministry of External Affairs, 3 November, 1948, NAI, MoS, f.12(4)-H/49.

[72] Chitralekha Zutchi, *Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir* (London: Hurst & Company, 2004), p. 306.

[73] Note by B. K. Kapur, Ministry of External Affairs, 17 February, 1949, NAI, MoS, f.12(4)-H/49.

[74] Note by K. P. S. Menon, Ministry of External Affairs, 3 November, 1948, NAI, MoS, f.12(4)-H/49.

[75] Note by B. K Kapur, Ministry of External Affairs, 22 February, 1949, NAI, MoS, f.12(4)-H/49.

[76] Foreign, New Delhi to Military Governor, Hyderabad, 12 March, 1949, NAI, MoS, f.12(4)-H/49.

[77] J. N. Chaudhuri to N. M. Buch, Joint Secretary to the Government of India, Ministry of States, 5 March, 1949, NAI, MoS, f.12(4)-H/49.

are born-Hyderabadis owning extensive landed properties and having business interests in the State, with no corresponding interests in Afghanistan'.[78] By the time these enquiries had been completed, the Indian Constitution had come into force. Given that many had been born in Hyderabad, they could claim Indian citizenship rights under the Constitution. In light of this, the government of Hyderabad concluded, 'Though they <u>may</u> all be of Afghan origin, it will not be possible to give satisfactory proof of their Afghan nationality to the Afghan Government.' As a result, only five out of 30 families could be forcibly repatriated.[79] However, on further enquiry it was found that no member of these remaining five families was in possession of 'any passport or other travel documents'.[80] The government of India asked the government of Afghanistan if they would accept these families, but received no reply.[81]

Similar difficulties arose when it came to sending Arabs back to their countries of origin. Around three dozen of the Arabs detained in a camp in Hyderabad city claimed to be from Saudi Arabia. The Saudi authorities initially refused to issue the necessary identity certificates to these men and their families. After General El Edroos intervened, the Saudis were persuaded to issue certificates to 13 of them,[82] but declined to recognize the rest. The Saudi's contended 'that a mere declaration by the Arabs that they are Saudi Arabians is not enough to allow their entry into the country.' They averred that, 'The mere existence of a relative in Saudi Arabia does not imply that the applicants themselves are Saudi Arabs'.[83] They insisted on 'more concrete proof' to establish their claim to Saudi nationality. The remaining men were unable to provide such proof, and the government of Saudi Arabia refused to allow them entry, even on compassionate grounds.[84]

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[78] L. C. Jain, General Administration Department, Government of Hyderabad, to S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, 16 February, 1951, NAI, MoS, f.17(14)-H/51.

[79] Ibid., <u>emphasis in original</u>.

[80] L. G. Rajwade, Chief Secretary to the Government of Hyderabad, General Administration Department, to the Deputy Secretary to the Government of India, Ministry of States, 29 May, 1951, NAI, MoS, f.17(14)-H/51.

[81] See several reminder notes in NAI, MoS, f.17(14)-H/51.

[82] A. H. Safrani, Under Secretary to the Government of India, Ministry of External Affairs to the Consul for India, Jedda, 3 November, 1950, NAI, MoS, f.19(9)-H/50.

[83] A. H. Safrani, Under Secretary to the Government of India, Ministry of External Affairs to the Chief Secretary, Hyderabad Government, 30 January, 1951, NAI, MoS, f.19(9)-H/50.

[84] See file, NAI, MoS, f.19(9)-H/50.

Finally, around 70 Arabs, most of whom had been in the Nazm-i Jamiat and were detained in Hyderabad, reported that they wished to be repatriated back to Indonesia, but this proved no simple task either. Only 14 of these Arabs had a valid Dutch passport, while another 33 had an expired one. Another 28 people, did 'not possess any passport or travel document issued by the Dutch'.[85] India did not expect the Dutch government to oblige their request to consider taking in these men and their dependents, as the government of India had lent its support to Indonesian nationalists in their fight against Dutch colonialism.[86] Moreover, the fact that many of the Arabs in Dutch Indonesia had also sided with the Republic would not have provided any more impetus for the Dutch to let them return.[87] The Dutch government stalled behind requirements for paperwork, and none of the Arabs had been sent to Indonesia by the time the Dutch recognized the independence of the Republic of Indonesia at the end of 1949. When the new Indonesian government considered their subsequent applications for Indonesian passports, they found that many of those being deported had written on their application forms that their nationality was 'Arab Mohamadan'.[88] Thus, the Indonesian Embassy replied, 'It is evident from the forms that they are neither Indonesians nor Indonesian-Arabs, but they are definitely Arabs. Therefore the question of giving them Indonesian passports and repatriating them to Indonesia by my Government, does not arise at all'.[89] Indonesia did, however, consent to let these individuals apply for visas, if Hyderabad would issue identity certificates for them.

These three examples tell us two things about the regime of legal citizenship based on documentary evidence. First, in the absence of identity papers of any kind, the documentary regime was entirely

[85] Military Governor's Office to the Deputy Secretary to the Government of India, Ministry of States, 9 April, 1949, NAI, MoS, f.10(11)-H/49; Military Governor's Office to the Deputy Secretary to the Government of India, Ministry of States, 16 April, 1949, NAI, MoS, f.10(11)-H/49.

[86] Note by V. M. M. Nair, Ministry of External Affairs, 19 March, 1949, NAI, MoS, f.10(11)-H/49.

[87] Huub de Jonge, 'Abdul Rahman Baswedan and the Emancipation of the Hadhramis in Indonesia', *Asian Journal of Social Science*, vol. 32, no. 3 (2004), pp. 373–400, especially p. 391.

[88] Office memorandum, Ministry of External Affairs to the Ministry of States, 27 May, 1950, NAI, MoS, f.10(11)-H/49.

[89] B. A. Ubani, Official Secretary to the Embassy of the United States of Indonesia to R. N. Saletore, Under Secretary, Ministry of External Affairs, Government of India, 20 April, 1950, NAI, MoS, f.10(11)-H/49.

reliant upon the self-identification of individuals. Thus, understandings of citizenship as a legal right gained by residency and established through written records contained within them conceptions of nationality that relied on ethnic origin as a marker of belonging and often directly conflicted with the requirements of the legal regime. When individuals self-identified in a way that did not match legal requirements, as in the case of the men who identified themselves as 'Arab Mohamadan', individuals could be left stateless. Indeed, the combination of documentary requirements for citizenship, and the failure of state borders to map perfectly onto imagined nations, had the potential to leave tens of thousands of migrants stateless.

Indeed, many of those whom the government of India had wished to deport had no 'home' to be sent to, at least not in law. Thus, very few of the 'undesirable' Afghans were deported. Similarly, after nearly three years of negotiations with the Saudi government, around two dozen men who claimed to be from Saudi Arabia could not be sent home. The government of Hyderabad was left to conclude, 'the presence of these 23 persons in Hyderabad is not going to make any difference to the state.' And they too were released from detention.[90] Another 27 Arabs from Indonesia were also freed when their deportation could not be arranged.[91] Thus, although the government originally estimated 7,000 Arabs would be deported, less than 2,000 Arabs were formally repatriated.[92] Several thousand were left to either resettle in Hyderabad or make their own way out of India.

Self-identification and subversion

Although many were unable to fulfil the legal requirements to prove the nationality they claimed, and were technically stateless, this did not mean that they were unable to move. Individuals could and did

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[90] Note by S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, 21 March, 1952, NAI, MoS, f.17(31)-H/51.

[91] S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, to N. N. Iengar, General Administration Department, Government of Hyderabad, 16 February, 1951, NAI, MoS, f.19(59)-H/50; N. N. Iengar, General Administration Department, Government of Hyderabad, to S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, 24 February, 1951, NAI, MoS, f.19(59)-H/50.

[92] G. V. Kitson to J. S. H. Shattock, 13 September, 1949, National Archives UK, DO 142/441.

change the way they self-identified in order to secure a better outcome for themselves. Their eventual departure from India, however, relied upon strategic neglect from India's governments. Interestingly, the authorities in India seemed willing to subvert the system in order to facilitate the departure of these men and their families. Thus, in some cases detainees were released from camps and allowed to disappear. In other cases, government officers turned a blind eye to individuals who changed the way they self-identified in order to leave India. The creative negotiation of nationality was not limited to those who wished to leave India. Indeed, many of those who remained used their status as non-Indians to gain access to privileges within India.

Many migrants simply slipped through or were allowed to evade India's none-too-tight immigration controls. Thus, it was reported that by the time Indonesia rejected their visa applications, around half of the original population of Arab Indonesians had 'proceeded to Aden and Java of their own accord'.[93] Indeed, several hundred Arabs made their way from Hyderabad to Aden on their own initiative, often by hitching a ride in boats used for the import of dates.[94] The government of India was not unaware of their travel. Indeed, the government reportedly issued them with 'a passport of sorts' which, it was ordered, would 'be accepted for exit only'.[95] Here officials in India actually helped aliens to circumvent immigration controls. This takes us back to the idea that informal understandings of belonging, as opposed to the strict enforcement of legal rights, were crucial in determining the ultimate ethnic mix of Hyderabad and India.

Others who could not be deported simply changed the way they self-identified to their own advantage. For example, the government of Hyderabad wished to send several thousand Arabs to either the Eastern Protectorate or the Western Protectorate of Aden, but the British authorities in Aden demurred.[96] Their objections were less concerned with legal niceties and more with material scarcity, as the Eastern Protectorate was suffering a severe famine at the time. The High Commissioner in India explained: 'the problem of providing

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[93] Private Secretary to the Chief Minister's Secretariat, Hyderabad to the Deputy Secretary to the Government of India, Ministry of States, 25 March, 1950, NAI, MoS, f.10(11)-H/49.

[94] J. N. Chaudhuri to N. M. Buch, Joint Secretary to the Government of India, Ministry of States, 16 February, 1949, NAI, MoS, f.175-H/48.

[95] *Ibid.*

[96] J. N. Chaudhuri to S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, 15 July, 1949, NAI, MoS, f.10(11)-H/49.

sufficient food for the existing population in this area is already over-taxing local resources ... any increase in this population might well have really disastrous results'. He asked, therefore, that India delay sending anyone to the Eastern Protectorate until the arrival of the monsoon eased the food situation.[97]

Hyderabad's Government was extremely eager to get these people off their hands, given that they were being held in camps at government expense.[98] The government of India, therefore, prepared a boat of 500 passengers to be sent to the Western Protectorate in March 1949. When they docked, however, 390 proved to be from the Eastern Protectorate. Worse still, 'almost all the Hadramis who made up the bulk of the total are from the famine stricken areas'.[99] When called upon to explain himself, Chaudhuri pleaded ignorance in the case, writing that, 'under the previous regime in Hyderabad very few records exist regarding such Arabs and in many cases, information has to be taken from the Arabs themselves'. He assured the government of India that the military authorities had been 'thoroughly satisfied with the statements of the persons concerned that they belong to the Western Protectorate'.[100] Given the sudden rise in the number of Arabs on their rosters who claimed to be from the Western Protectorate, it is not beyond reason to assume that the Indian authorities were complicit in this stratagem.

The flexibility of self-identification did not work so well for persons being sent to Pakistan, however. Many of those detained as 'Pakistan nationals' were in fact Muslims from India, who had given their destination as Pakistan when they were arrested.[101] The government of Pakistan sent an officer to the camp at Dhond in Bombay Province to assess the claims of individuals there to Pakistani nationality. Though he approved more than 2400 for travel to Pakistan, several hundred

[97] E. G. Willan, Office of the High Commissioner for the United Kingdom in India, to S. Dutt, Additional Secretary to the Government of India, Ministry of External Affairs and Commonwealth Relations, 31 January, 1949, NAI, MoS, f.175-H/48.

[98] UK High Commissioner in India to the Acting Governor of Aden, 24 February, 1949, National Archives UK, DO 142/441.

[99] *Aide Memoire,* [undated], NAI, MoS, f.175-H/48.

[100] J. N. Chaudhuri to the Deputy Secretary to the Government of India, Ministry of States, 7 April, 1949, NAI, MoS, f.175-H/48.

[101] Major J. W. Snooks, Lieutenant-General, Southern Command, to Army HQ, New Delhi, 30 July, 1949, NAI, MoS, f.10(12)-H/49.

were denied permits to move to Pakistan.[102] Of those, 347 were reported to be 'Indian nationals (Muslims)'.[103] Having been refused transit to Pakistan, these families were released from detention. They, too, were left to obtain a permit to migrate to Pakistan on their own.[104] Those who were willing to remain in India, who numbered several hundred, were returned to their homes. But this did not necessarily end the ordeal for them. In at least some cases district magistrates were 'asked to maintain a look out for their arrival in their districts and to keep them under surveillance for some time'.[105]

Others used their status as aliens to their advantage in India. Those men and women of non-Indian origin who remained in Hyderabad appealed to their embassies to redress grievances that the authorities in Hyderabad had failed to remedy. When Afghans resident in Hyderabad encountered several difficulties after the occupation began, they appealed to the Afghan Embassy for help. Several petitioned their Embassy to try to get compensation for the losses they had suffered in the violence of 1948, or to regain possession of property that had been stolen or occupied. Others, like the Pashtuns who originated from NWFP, used their roots to profess loyalty to India and assert their rights.

In one case, Ghulam Jan Khan asked the Afghan Embassy to help him secure compensation for property damaged in a riot in 1951. The authorities in Hyderabad found, however, that he had 'been living in Hyderabad since his birth and his forefathers had been in this State for more than a hundred years. It was only a year after the Police Action in Hyderabad that he, somehow, succeeded in obtaining a passport from the Afghan Embassy and declared himself a non-Indian and an Afghan National'.[106] In this case, Mr Khan attempted to acquire non-Indian nationality in order to gain privileges inside India that could only be accessed through pressure from a foreign government.

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[102] S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States, to L. G. Mirchandani, Deputy Secretary to the Government of India, Ministry of Defence, 20 August, 1949, NAI, MoS, f.10(12)-H/49.

[103] Note by Ministry of Defence, 27 August, 1949, NAI, MoS, f.10(12)-H/49.

[104] S. Narayanaswamy, Deputy Secretary to the Government of India, Ministry of States to the Military Governor, Hyderabad, 30 August, 1949, NAI, MoS, f.10(12)-H/49.

[105] K. Ramunni Menon, Chief Secretary to the Government of Madras to the Secretary to the Government of India, Ministry of States, 21 November, 1949, NAI, MoS, f.10(72)-H/49.

[106] Chief Secretary to the Government of Hyderabad to the Secretary to the Government of India, Ministry of External Affairs, 17 January, 1952.

Another Afghan, Abdul Karim Khan, complained to the Afghan Embassy that, 'Every day Afghans are being arrested indiscriminately ... on false and trumped up charges'. Once arrested, these men often found that their movable property was looted and their immovable property illegally occupied. Mr Khan conceded that Hyderabad's Military Governor, Major General J. N. Chaudhuri was 'ever ready to help us', but alleged that, 'local officers do not co-operate with us and sometimes treat us with contempt'. He asked the Afghan Ambassador to see to it that the Indian government 'deal with us fairly'.[107] The Royal Afghan Embassy took up the question of the arrests and the stolen and occupied property with the government of India's Ministry of External Affairs. The government of Hyderabad issued a blanket denial of the general accusations:

It is incorrect to say that Afghan nationals in Hyderabad are receiving treatment any different to that accorded to other citizens. The life and property of Afghans in Hyderabad are safe and the Administration is making a special point regarding their welfare.

He reiterated that 'the majority of Afghans' in Hyderabad were moneylenders, and therefore unpopular. He suggested that this may explain why false accusations had been made against them.[108] The question of belonging was not just a question of government policy: Afghans were allowed to stay, but officers on the ground and other members of the population had their own understanding of who belonged, and could make life difficult for non-Indians who wished to stay. Certainly, this quotidian understanding of citizenship was tied up in being Muslim. The fact that these people were doubly marked as 'outsiders' may have emboldened their foes to try to get them arrested and sent away.

A final example will serve to demonstrate the ways in which these residents expressed their loyalty in order to assert their rights. When a group of Pashtuns formed a 'Pakhtoon Jirga' and asked the Collector at Aurangabad to help them secure compensation for losses suffered during the post-police action unrest, they argued: 'That their kith and kin ... took an active part in the War of Independence of India, by their whole-hearted support, helpless

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[107] Abdul Karim Khan Vakil, Afghan National, Nampalli Chaman, Hyderabad Dn, to Sardar Najibullah Khan, Afghan Ambassador to India, 3 May, 1949, NAI, MoS, f.10(37)-H/49.

[108] J. N. Chaudhuri to the Secretary to the Government of India, Ministry of States, 26 May, 1949, NAI, MoS, f.10(37)-H/49.

sacrifices, in the movement of Khan Abdul Ghaffar Khan'. This framed their appeal so as to profess their collective loyalty to India. They then assured the authorities that 'local Pathans never took an active part in the political activities whatsoever and ... always remained as loyal subjects and thus enjoyed the confidence of the Congress'. This positioned the group within the new, more restrictive, limits of Muslim politics in post-partition India. As the idea of political parties for Muslims lost legitimacy with the formation of Pakistan, loyalty to the Congress, and, moreover, a willingness to abandon all active participation in politics, was the surest way to please India's new rulers. Finally, the Pakhtoon Jirga pointed to the contribution its members had played in commerce, trade and agriculture, arguing that they had 'always proved as an asset to the Hyderabad State'.[109] This suggests that in quotidian understandings of the right of residency and therefore rights of access to government services such as compensation and restoration of property, it was understood that these rights were dependent upon the perceived utility and loyalty of entire communities of people. People of non-Indian origin thus found ways of asserting their rights which used their status as outsiders to their advantage.

Conclusion

Particularly in the years before the introduction of the Constitution, informal understandings of belonging were more influential than the enforcement of legal rights in determining whether non-Indian Muslims could be citizens or residents of India. The question of belonging was intimately tied to the experience of partition, even in a territory like Hyderabad which was not directly split in the division of the subcontinent. Whilst Hyderabadi politics did not parallel those in north India which produced the partition, Hyderabad was nonetheless viewed through the discursive lens of all-India polarization produced by partition. Thus Indian Muslims were rendered parenthetical citizens—'Indian citizens (Muslims)'—because their presence in India disrupted the narrative of partition in which religious affiliation and

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[109] Members of the Pakhtoon Jirga, Hyderabad, to the Collector, Aurangabad, 20 January, 1951, NAI, MoS, f.17(9)-H/51.

national loyalty were merged. Muslims who were not of Indian origin were doubly marked as outsiders.

Nonetheless, these everyday notions of citizenship could come into conflict with formal rules regarding nationality. In the transition to a global system in which mobility was more closely regulated, governments became more reliant on legal and documentary proof of nationality. When Afghans and Arabs and Pathans were unable to supply the proof required by their 'home' governments, they appeared to be trapped between a legal regime with requirements they could not satisfy and everyday understandings of belonging which would exclude them from India.

Because the legal regime was reliant upon self-identification, however, most of the men and their families had more freedom to move than might be expected. Indeed, the creative use of self-identification helped many to leave India if they so desired. Interestingly, officials in India proved willing to either bend the rules or to strategically neglect them in order to help get these men and their families out of the country. This implies that informal conceptions of belonging could, at times, have significant influence over government action.

Those Muslims of non-Indian origin who did stay found new ways to assert their rights and to profess their loyalty in India. Some used their status as foreigners to raise the profile of their claims against Indian authorities. Others, like the Pakhtoon Jirga mentioned above, exhibited notions of belonging which were bound neither geographically nor demographically by the borders of the Indian state. Indeed, this research suggests that the more bounded ideal of the nation stalled on its way to ascendance. The strategic alliance with Afghanistan over Kashmir ensured that the government of India could not deport many Afghans. International obstruction ensured that Arabs who could not be formally deported and who did not wish to make their own way out of India would remain. As a result the ethnic mix of Hyderabad (and therefore India) was more diverse than had been originally envisioned in 1948. The presence of migrants and the fact of migration ensured that the government of India had to accept the presence of people of non-Indian origin in India, even as their domestic calculations had to incorporate Indians overseas.