Introduction: The Spectacle of Independence and the Specter of Bureaucracy

At the stroke of the midnight hour, as the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance.¹

On the eve of India’s independence late on August 14, 1947, India’s first prime minister, Jawaharlal Nehru, narrated the moment of transition from colonial rule to national sovereignty in front of the Constituent Assembly. It was a moment of great promise as India embarked on the most significant experiment with democracy in human history, the largest universal franchise in elections, and the formation of the longest-standing constitution in postcolonial history to date.² It was also the night before India’s formal partition into the dominions of India and Pakistan, the night before waves of genocidal violence and forced migration shaped the new nations within the newly delineated territories.³

In national narratives, one rarely thinks of such a historic moment of independence and decolonization as also a moment of the transmission to the new states of colonial bureaucratic practices and routines and the politics embedded within them. The spectacle of independence, when subjects of the empire were to become future citizens of their own newly partitioned states, tends to eclipse the dimmer side of that which resists change in political life. But that very same night of Jawaharlal Nehru’s legendary speech on India’s awakening was also a deadline for bureaucrats – the civil servants of British India – to decide which new state, on which side of the partition line, they would serve. Would they continue their work for independent India or join the civil service in Pakistan?⁴ Would they move their families with them to the uncertainties of partition
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or leave them behind until it was safer? These were dramatic decisions. Many did not know just how dramatic it would be, as it was hard to anticipate the scale of violence and displacement that would ensue.

Muslim civil servants who would opt that night to serve in Pakistan but who later changed their mind would be labeled “suspicious people.” They would be closely followed by intelligence departments, their loyalty to India doubted. That suspicion and classification as “those of doubtful loyalty” would overshadow their life and work. Further, that very same night, some of those who crossed over to Pakistan were to lose their right to citizenship in India. Muslims who tried to come back would spend years applying for return permits, navigating a labyrinthine bureaucratic regime that had been established to control such movement.5

This book investigates the legacies of colonial bureaucratic practices in two of the most fundamental state-building arenas: the delineation of citizenship and the identity of civil servants. Using the framework of partition, it traces a set of bureaucratic practices – similar across space and time – in three very different colonies designated for partition as a condition for their independence from colonial rule: India, Palestine, and Cyprus from the last decades of colonial rule to the first decade of the new states of India, Israel, and Cyprus.

Partition in all three states was conceived as a method to maintain British imperial domination and as a solution to ethnic conflicts in an era where national self-determination had legitimized population transfer (later called ethnic cleansing). It produced violence and displacement on unprecedented scales in each of the territories.6 Separating territory and population meant that population classification and the governing of mobility to create partition were critical elements of defining citizens and “others” within the new borders.

Taking a cue from Hannah Arendt’s insight on how we can understand political membership through those excluded from it, this book tracks the way the new states – India, Israel, and Cyprus – used the colonial bureaucratic routines and forms that they inherited in the delineation of political belonging and the making of the civil services in the wake of partitions. This study thus revolves around the bureaucratic fates of “citizenship’s others,” those denied full participation in the political community who nevertheless remained roped to the state through their designations as residents, refugees, intruders, and infiltrators (Arendt 1951; Macklin 2007; Bhambra 2015; Tatour 2019).

It is necessary to focus on the role of bureaucratic practices in the making of the new states from an organizational perspective. Drawing conceptually from three wells of scholarship – the cognitive/cultural
accounts of the state in sociology and anthropology (Bourdieu 1994; Steinmetz 1999; Mitchell 1991a; Corrigan & Sayer 1985; Sharma & Gupta 2009; Joyce & Mukerji 2017); new institutionalism in organizations (DiMaggio & Powell 1991); and historical institutionalism’s recent focus on incremental change (Mahoney & Thelen 2010) – it seeks to answer some major questions relating to the impact of colonial bureaucratic legacies in new states following partition: How did the bureaucratic organizing principles and administrative scripts of colonial rule shape political status in the new states? What role did colonial bureaucratic practices, classifications, and documents, developed to control and subdue subject populations across the British Empire, have in shaping the relationships of the new postcolonial states to the populations that had become political minorities? And how did colonial bureaucratic practices shape the aftermath of violent partitions that continue to shape the political life of the new states to this day?

LEGACIES OF COLONIAL BUREAUCRATIC PRACTICES

The transmission of bureaucratic practices from British colonial rule to the newly independent states might seem entirely unremarkable for at least two reasons. The first is that the institutional scaffolding of postcolonial states was erected during colonial rule, while imperial subjects, those who were relegated to the “waiting room of history” (Chakrabarty 2009), both negotiated with and fought against the colonial administrations for independence. Thus, as Timothy Mitchell observed, “colonial subjects and their modes of resistance are formed within the organizational terrain of the colonial state” (Mitchell 1991b: ix). In the aftermath of the British Empire, the new states inherited “readymade administrations” including the civil services (Chatterjee 1993: 204) that had been trained in and served colonial rule through years of intense anticolonial and intercommunal conflict (Burra 2010). Indeed, the inheritance of colonial bureaucracy has been perceived as both an asset and a burden for the new states, depending on one’s epistemological standpoint on the impact of colonial rule and the way it continues to shape the present.7

The second reason it might seem unremarkable rests on Max Weber’s assertion that in any regime change “the bureaucratic machinery will normally continue to function just as it has for the previous legal government” (Weber 1978: 143); that the operating rules of bureaucracy are fixed and remain stable over time and space. This idea generated the subsequent assumption that perpetuation also meant that legacies of
British colonial bureaucracy bore semblance to Weber’s imaginary model of a rational organization concerned with efficiency and guided by the rule of law (e.g. Halliday et al. 2012). This assumption is problematic: any study concerned with historical institutional continuity and change cannot assume continuity without a close examination of the kind of bureaucracy at issue (Hacker, Pierson, & Thelen 2015). The bureaucratic practices, routines, and forms that were inherited on that night of independence from British colonial rule developed under the conditions of a regime of conquest, which operated within a political system of pronounced racial hierarchy, otherwise known as the “rule of colonial difference” (Chatterjee 1993; Steinmetz 2008b), a perpetual state of emergency, uncertain domains of jurisdiction justified by that racial difference, and the perceived threat it posed to the maintenance of colonial rule (Hussain 2003; Stoler et al. 2007). The same observation applies to Palestine/Israel and to Cyprus, where both the practices that created a hierarchy between populations and the significant periods of rule by emergency were ordered through bureaucratic classifications, forms, and procedures.

How did these features of race and emergency shape British colonial bureaucracy? Bureaucracy was the hub of power in the colonies that was both concerned with juridical normativity and claimed to rule by law, but in which there was limited political representation for subject populations and where, for the most part, administrative and executive actions were beyond the reach of courts (De 2012). If race was the relational marker that made the colonies “safe” from the “dangers of universalism” by enabling the differentiation between citizens and subjects, as Laurent Dubois writes (2005; see also Go 2018), then emergency was the method by which the differentiation was maintained through the decoupling of an aspirational legal liberal discourse from everyday bureaucracy that operated to manage populations and repress struggles for equality. Departing from how the symbolic power of the state was acquired by the extension of administrative reach in modern nation-state formation, where the extension of the powers of population enumeration, classification, and registration rendered the state more legitimate in the eyes of its population (Loveman 2005), the paradox of the colonial state was that the more formal its administrative reach and the more elaborate its monitoring and management of subjects’ lives, the less it managed to achieve the acquiescence of its subjects, leading to further repressive laws and to the delegitimization of authority (Comaroff 1998).
While colonial emergency laws have been previously investigated as counterinsurgency – that is, in their role in quashing anticolonial struggles and labor disputes – they were also tools that afforded colonial bureaucrats wide power and discretion, shaping the organizational practices, templates of action, and categories they used to classify people and the spaces they could move in (Hussain 2007; Legg 2008). Bureaucratic discretion and administrative reach grew in the epoch between the two world wars, as a grid of emergency laws proliferated throughout the British Empire to quash anticolonial struggles, consolidating powers of classification and identification, policing, and the monitoring of mobility within the bureaucratic administration.

Considering the above, my focus on bureaucracy serves three main objectives. First, it calls attention to the pivotal role of colonial bureaucracy and everyday administrative practices in shaping political outcomes following regime change; second, it provides a synthetic model of British colonial bureaucracy to facilitate research on the organizational legacies of colonial rule; and third, it shows how these everyday practices shaped the making of citizenship for minorities and the making of the civil service in the aftermath of violence and partition through a comparison of bureaucratic practices across space, between colonies, and across time from the colonial government to independent governments. This legacy has had long-term effects. It still does.

Placed in a broader scholarly discourse, this focus serves some additional objectives. First, it extends an invitation to rethink the primacy given to law in studying colonial legacies: the legal and political afterlives of empire are of intense interest across disciplines ranging from those that perceive them as legacies that have shaped postcolonial nation-states to those that view them as the histories of the colonial present. Law has been the constitutive and most enduring element of British imperialism (Brown 1995), producing a spatial and temporal colonial order (Mawani 2014) and being perceived as the core carrier of its legacies. At the nucleus of existing scholarship of British colonial legacies thus stand legal systems and courts. Bureaucracy, or administration, has been subsumed into law, or treated as a “neutral” variable, explicitly or implicitly assuming it followed the Weberian model of rational-legal bureaucracy (Halliday et al. 2012; Lange 2009). The principled decision of this study is to give legal rulings and legislative deliberations a back seat and station in the driver’s seat bureaucratic practice: the routines, forms, classifications, and documents for managing populations employed across the three colonies that shared the transitional framework of partition.
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Second, comparative research on the chronotope of bureaucratic colonial practices also expands the anthropologies and histories that investigate state bureaucracies: after the cultural turn in the sociology of the state and the rise of anthropologies of the state, the study of bureaucracies in the colonial aftermath turned to the “everyday state” and to the study of the materiality of bureaucracy, particularly of documents, files, and forms that shape political relations, populations, and organizations (Hull 2012; Mathur 2016; Kim 2016). Yet this rich literature has mostly focused on national or regional bureaucracies. The present study uses a connected transnational framework to compare bureaucratic practices across colonies and successor states.

Third, most, though not all, studies of colonial bureaucracy separate between the classification practices of registration, immigration, and census enumeration, on the one hand, and practices of security or counterinsurgency, including monitoring of mobility, on the other. This study, like a few others (Khalili 2012; Legg 2008; Singha 2000; Mawani 2018), resists this separation: it couples the bureaucratic work of population classification according to suspicion with the bureaucratic work of ordering mobility through spatial-legal means, reflecting these intertwined preoccupations of the central hubs of British late-colonial governments and the manner in which they informed each other. It thus looks at how a set of bureaucratic practices developed during the last decades of colonial rule across three connected cases of colonies designated for partition. Tracing how they affected access to citizenship and the making of new civil services through regimes of classification and the monitoring of mobility, it culminates in disclosing their effects following independence on both the minority populations and the colonial civil servants themselves.

FRIENDS, FOES, AND THE MAKING OF POST-PARTITION CITIZENSHIP

The Classification Nexus of People and Mobility

This study’s empirical focus is on bureaucracy from the last decades of British rule into the nascent years of the new states in India, Palestine/Israel, and Cyprus. It investigates how bureaucratic practices, routines, and documents developed and affected two core elements of modern state power: the classification of populations through the census and other administrative categories (Loveman 2014; Cohn 1989; Anderson 2006) and attempts at the monopolization of the legitimate means for mobility (Torpey 1998).
Classification was necessary to render populations legible as an object of governance for alleged forms of development (Scott 1998) but also to satisfy the constant, anxious hunger to dissect populations, viewing them as a source of threat and undesirability, for the sake of surveillance, policing, and forced migration (Singha 2000). The production of rules for social classification was based on uncertain knowledge and was in constant flux (Stoler 2010). On the one hand, the categories created were alleged to indicate that “states not only naturalize certain distinctions and not others, but they also help constitute particular kinds of people” (Loveman 2005: 1655); on the other hand, census categories were forged by social struggles and negotiations between population groups and administrators over definitions of group boundaries, allocations of resources, and the perpetual lack or limiting of representation in the colonial state (Emigh et al. 2016). In the colonial context, this gap between categories and classifications and the colonial social world was greater than elsewhere because the legal, bureaucratic, and ideological superstructure was imported from the metropole (Gupta 2013).

Torpey (1998) argues that modern states have always monopolized legitimate means of movement across and within their borders by identifying populations and differentiating between members and nonmembers. Emerging South Asian histories, however, point to the imperial origins of mobility restrictions based on identity, demonstrating that racialized restrictions of mobility and migrations in the colonies serve as alternative origins of modern nation-states’ attempts at monitoring mobility through identification and documentation (Mongia 2003, 2018; Zamindar 2007).

These intersections of forms of state power – population classification and the ordering of mobility – also correspond to two features of British colonial rule: racial hierarchy and governing by emergency, usually used as a set of restrictions on mobility covering the whole gamut from preventative detention and confinement of suspicious or dangerous individuals to designation of large territories as dangerous or disturbed, requiring permits for the movement for entire populations.8

OF PEOPLE AND TERRITORY: THE EXTREME CASE OF PARTITION IN THE MAKING OF CITIZENSHIP

It is well established that colonial distinctions between populations, particularly those based on racialized religious categories, created ethnic conflicts in the aftermath of the British Empire (Wimmer 1997;
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Mamdani 1996; Goh 2008). Scholars from a range of different theoretical traditions further agree that colonial legacies of differentiation shaped citizenship (see, e.g., Brubaker 2010; Sadiq 2017). Partitions were the extreme cases in which conflict led to the design of a territorial separation of populations.

The study investigates this legacy from a dual perspective: first, the cultural accounts of the state concerned with the cognitive and material methods of power engendered by everyday practices, routines, and documents of population management that create the powerful metaphysical effect of making the state appear to exist as a separate entity (Mitchell 1991a; Corrigan & Sayer 1985), as well as its spatial and legal limits (Ferguson & Gupta 2002; Das & Poole 2004). Second, it presents new institutionalist accounts of organizational change (DiMaggio & Powell 1991) that view administrators not as “conduits for the diffusion of preexisting laws, but as those that shape the law, and organizational practices as carriers of scripts and schemas” (Suchman & Edelman 1996). The study tracks the material forms of classification and enumeration, as sites of both colonial domination and negotiation with local elites; the ways that forms and applications designated categories of loyalty and suspicion; and the consolidation of documentary regimes to restrict mobility in the colonial states. It then traces how these elements of colonial classification and mobility restriction shaped the violent aftermaths and the strikingly similar methods the new states used to deal with population movement within their new boundaries to prevent the return of those that had become refugees. Return was prevented by their classification designation as “intruders” and “infiltrators” when they “illegally” crossed newly minted “borders” to enter the new states’ territory.

The transnational framework of partition, the territorial separation devolving authority over local populations newly defined as national, was both produced by and affected the British imperial bureaucratic repertoire that anxiously classified populations and attempted to control mobilities as its fundamental elements of the power to colonize and create social order by administrative means (Mitchell 1991b; Stoler 2010b). Once introduced, partition accelerated the preoccupation with demography, as population numbers and classification would create “majorities” and “minorities” that had material consequences for the territories to be partitioned (Devji 2013: 51). Yet, as Arie Dubnov and Laura Robson show (2019: 3), partition was a transnational phenomenon and a consequence of the interwar era, and not the inevitable outcome of incompatible primordial identities.
Across the three colonies studied here, the bureaucratic practices of classification and mobility monitoring were similar but the legal, political, and demographic trajectories of partition were not. To be sure, partition was not only an imperial plan to maintain control of its former colonies but was also a grand political project of national elites (Chatterji 2012) and the product of minority national ideological movements and anti-colonial struggles – an observation to which we will return shortly. But partition was also a massive bureaucratic project of population transfer and management. The macro historical project of partition was formed through the micro processes of what Ian Hacking (2007) has called “making up people” through lumping together, separating, and designating population classification schemes. Vazira Zamindar has shown, through the experience of partition’s survivors, how classification schemes were deeply intertwined with managing the mobility of people across the new borders, which in turn shaped political belonging (Zamindar 2007; see also Jayal 2019). Documents that enabled mobility did not only mediate between classification schemes and actual people but also became the means through which people would be classified on the continuum of citizenship, delineating citizens, residents, refugees, infiltrators, intruders, and enemies of the state.

COMPARISONS AND CONNECTIONS: THE TRANSNATIONAL HISTORIES OF PARTITION IN INDIA, PALESTINE, AND CYPRUS

Comparisons of colonial “origins” are never simple. On the one hand, one might assume that the commonality of legal origins and the existence of shared imperial policies and strategies create what Julian Go (2011) has called the “patterns of empire” on a macro level, leading to similarities in outcomes. On the other hand, how technologies of rule varied within and between colonies is a consistent feature of imperial power and of uncertain jurisdictions and differentiations (Stoler, McGranahan, & Perdue 2007; Steinmetz 2008a, 2008b). As Steinmetz (2008a) aptly writes, variance in violence and technologies of rule is important inasmuch as how it affected subjects in the long-term legacies of colonialism. The challenges of comparison across colonies are further amplified by the political and scholarly controversies over the definitions and trajectories of ethnic strife, and whether they were created or exacerbated during colonial rule.

To make use of the variation while exploring the commonalities and connections between colonies, this study, inspired by Gurminder Bhambra’s approach of connected sociologies (2014), compares the
micropractices and organizational routines in three colonies against the connected macropolitical framework of their designated partitions. The study of mundane organizational routines within the transnational framework of partition is inspired by Julian Go’s approach of “Global Fields and Imperial Forms” (2008), which combines Paul DiMaggio and Walter Powell’s conception of organization fields with Pierre Bourdieu’s field theory as an effective way to connote the relational connections, effects, and diffusion between metropole and colony, as well as between colonies.

Present-day India, Israel/Palestine, and Cyprus were all formerly British-controlled territories that shared legal structures in which the British sought to solve intercommunal conflicts through partition and in which, during the years before planned partitions, there is evidence of a concentrated effort on the part of the British to quash political opposition to their rule and control the population through an array of emergency laws. The anticolonial crises were instigated by demands for political representation against a system of colonial rule that purported to subsume power to the rule of law, declared commitment to liberal politics, and consistently failed, as a feature of its rule, to provide equality to its subjects.

Partitions, proposed as ad hoc solutions to local and imperial conditions, were carried out by mass violence and utterly failed to solve the intercommunal problems. This point is underscored by the fact that they continue to perpetuate violence, displacement, and dispossession of Palestinians and prevent their return, alongside causing communal violence and the systematic erosion of rights for India’s Muslim minority and the exclusion of Turkish Cypriots from the Republic of Cyprus due to the suspension of its constitution.

This commonality should obscure neither their differences from each other nor the uniqueness of their political trajectory. Israel, Cyprus, and India differ not only in their size, geography, and economy but in their contemporary political regimes. Israel is a settler colonial state of a unique type; it is for settlers without a “homeland”; and it is built on the scaffolding of the British mandate that provided the Zionist movement with the political framework for including the Jews in Palestine while dispossessing Palestinians (Pedersen 2016). It is the only case in which settler colonialism was officially recognized (Seikaly 2015: 5). India is a quasi-federal constitutional republic, increasingly defined by ethnoreligious majoritarianism (Chatterji et al. 2019). The Republic of Cyprus was founded as a consociational democracy, which since 1964 has suspended those parts of its constitution that afforded Greek and Turkish Cypriots shared power