

# Migration and Crime: Sociological Contextualization of Colonial History

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**Abstract:** In the contemporary academic discourse of crime, migration is not only a distinctive element that helps interpret criminal behavior, but it also has the potential to understand the structural arrangement of society. In most cases, migration tends to be considered a positive factor for grounding the causation of crime and criminal behavior worldwide. Hence, the study explores and evaluates the process through which migration's contextualization becomes significant in determining crime and criminal behavior. The study has tried to explore how the contextualization of migration is significant rather than migrants in defining and determining crime and criminality, which embodies the political economy of migration in the contextualization of crime. Moreover, such a condition helps in the emergence of 'settler colonial state crime' and instigates 'body politic' by enfolding migrant bodies into it. In doing so, the use of ecological and ethnomethodological approaches has helped to analyze the contextualization of migration and such exploration of the city of Siliguri in North Bengal in India, where the contemporary evidence of partition is significant.

**Keywords:** migration, crime, body politic, identity

## Introduction

Population composition in the present study area, named Siliguri, a crucial sub-divisional city of North Bengal, is primarily characterized by the migration of people from different places within and outside the state. The migration of the population from Bangladesh and their permanent settlement for residential purposes is essential to understanding its sociocultural significance. Regarding this fact, the historical plot makes us consider it the result of colonial state policy. The city is dealing with consistent migratory movements of the population over a long course of time. Moreover, the

expanding economic opportunities, commercial activities, and civic amenities have pulled a large population into the area. The growing size of the economy, population, and many other aspects has dramatically influenced the place, resulting in peculiar conditions in its sociocultural setting. It is not that illegal international migration through the porous border (from Bangladesh, Nepal, China, Bhutan, Pakistan via Bangladesh, etc.) is the only factor for the growing vulnerability of the area, but the rate of inter-state migration has also contributed to rapid changes that have brought an unforeseen sociocultural change in this geophysical territory. The popular phrase '*chicken neck*' appropriately expresses its geophysical condition of vulnerability in terms of international relations and the concern of the state in it.

Thus, with such growing sociocultural complexities, we find a different context of crime and criminality, which is the study's primary concern. The expansion of the scope and context of organized and unorganized crime is propelling around at a similar pace. At the same time, the pattern of crime and criminal behavior among individuals and groups also expands into peculiarity. Most significantly, the impact of such social settings on the individual, group, and community has extended the scope of research interest and academic inquiry to understand and interpret the tension arising out of the criminogenic contour. The study has developed the research quest by examining migration's historical and contemporary context. It tries to analyze consequent linguistic, ethnic, religious, and communal disputes, which gradually result in growing crime and criminality as the outcome of 'migration' at its root cause.

However, the proximity of migrants to the indigenous population is often accompanied by violence and several crimes and criminalities. The practice of criminological research in humanities and social sciences already instigates the conceptualization of settler *colonial state crime* in connection with migration-related criminality (Grewcock, 2018; Harvey, 2003). The present study furthers its inquiry to identify and interpret the context of growing migration-related crime and criminality by considering this theoretical background. Pursuing this fact, we may start with the story of the history of migration of the international population, which gradually characterizes the criminal context in the study area.

### **Settler Colonial State Crime in the Postcolonial Context of India**

As the impact of partition in India, precisely two states were heavily affected: Punjab and West Bengal (by colonial authority Mountbatten on 15<sup>th</sup> August 1947). The study covered the second one, where the incident of partition had a significant impact in terms of sociocultural settings. Though contemporary Bengal has been formally separated through several historical and political dramas (1905 and 1947) by the contemporary British authority, the entangling sociocultural condition of its population has resulted

in the continuation of many complexities. A similar condition persisted in the case of another Indian state, Punjab (1947), until today. In both cases, 'religion' had been considered a potential criterion for reorganizing these states by the contemporary authority (Bandyopadhyay, 2015). As the outcome of colonial state policy, contemporary colonial authority intended to govern and control its population by the principle of divide and rule. As a result, it has dramatically deployed its people against each other with religiously oriented envy. At the same time, the abrupt geophysical separation suddenly encountered people illegally to their own land, resources, and people. A 'fatal defect' of the scheme made by the British has caused anxieties among religious minorities in contemporary Bengal and Punjab, which still persist in the particular society (Jalal, 2000) Bandyopadhyay, 2015). The disequilibrium started over half a century ago and still makes people thirsty for their own people, annihilating unimaginable heartache and misery at both ends.

Therefore, a reasonable number of criminal activities are distinctively connected with this particular context, which has great potential in understanding the social context of criminality in the study area. It represents the peculiarity where the mundane actions of living and interacting with one's own relatives became illegal and offensive or a violation of national security. Both the postcolonial nations have continued with similar attitudes of disappointment and dissatisfaction. The truths of common people have been nullified and voided by both nations and they have continued with the colonial principle that the contemporary British authority had initiated. Hence, it may be analyzed that the postcolonial state has an accurate hangover of colonialism, whereby governance and regulating citizens are highly prioritized. Furthermore, the living condition in disputed borderlands (*locally known as Chitmahal*) is a nightmare for its people, but it is compelled to continue with the negligence.

Although settler colonial state crime (Grewcock, 2018) has a specific meaning in defining state crime, the condition of peculiarity in this territory has some distinguishing characteristics. The continuous migration of populations from the now neighboring country of Bangladesh throughout the whole Indian state of West Bengal always has been an alarming issue since the independence. Under the pretext mentioned above, The Siliguri sub-division is under the heavy impact of such migration cases; overtly, they are compelled to be illegal migrants. Though the migrant from Nepal and Bhutan has a different sociocultural plot, it is not free from the confluence of crime and criminality. For the immigrants of Bangladesh, it is necessarily the constant effort to be close to their own people from the very moment of partition. But from another approach, they are also to be distinguished as an illegal actor. After independence, such phenomenon increased gradually, which reset the sociocultural criteria of settlers and significantly impacted dwellers' living. In such circumstances, migration has achieved a peculiarity

that characterizes the inhabitation distinctively. The graduate confrontation between settlers and dwellers is not the result of partition. Their confrontation eventually arises from the conflict in accessing the necessary resources for living. In such context, land has become one of the determinant components with many other factors (economy, occupation, politics, etc.) that cause disputes between these two groups of people. Subsequently, the area is becoming fertile ground for property-related crime and criminality.

### Historical Context

Before the partition, the territory has the evidence of several traceable disputes from the very Mughal empire (1526-1761). The oral histories and other instances proclaim more ancient approaches to the context, such as the histories of the 7th-century *Kamrup dynasty* and the glorious history of the 15th century of the *Kamtapur dynasty*. Consequently, several remarkable dynasties have created the sequential movement of people between the territory of North Eastern India, of which a larger part was known as the greater Bengal province, and gradually the East and West Bengal partition at the colonial regime. Initially, immediately after the partition, the migration of refugees from East Pakistan (after 1905 and again after 1971) was cordially accepted by the local people (Defining indigenes against these refugees would be misleading because the feelings of indigenes were not absent in refugees, and the feeling of indigenes was not necessarily against refugees, and hence, this justifies the reason of all refugee migrations took place to the home and household of relatives which is not likely to any other settler migration. Therefore, in analyzing the relationship, I better find it suited to call 'locals' or 'local people rather than identifying with an indigenous approach). Gradually, cordiality's thickness has been reduced due to the overloaded pressure on necessary resources (Das, 2007). Barma, in his book *Socio-Political Movements in North Bengal: A sub-Himalayan tract* (ed. 2007), mentioned it as unprecedented pressure on the population of North Bengal. The historical plot of the then dynasties has characterized these migrations distinctively from any other sorts of migrations that took place in India. In the study area, the Siliguri subdivision has a large population belonging to the Rajbanshi community that falls under the scheduled caste category (approximately 24%, according to the 2001 census).

Since ancient times, with several historical ups and downs, the figure has still significantly increased in the portion of the total population in the region. The growth of the population is more because of migration than the natural factor of birth cases or fertility rate. Such migration has distinct historical and sociocultural roots, persisting in the area until today. Almost all migration cases are connected with relatives, and gradually, the settlement of the migrants takes place with several sociocultural and political negotiations.

## Negotiation between Migrants and Host Community

The relevance of inquiring about the criminogenic context concerning migration lies in the negotiations of migrants with the local people. The negotiation started with cordiality and, after a few decades, eventually resulted in disappointment, violence, and conflict between the groups. Such migration intensity has been arrested with several challenging conditions in geophysical susceptibility. It has produced two separate ethnocultural categorizations of people '*Sthaniya*' and '*Bangladeshi*' (locals are denoted as Sthaniya, and migrants are Bangladeshi). Likewise, in the southern part of Bengal, we find the existence of '*Ghoti*' and '*Bangal*' (migrants from east Bengal are considered as Bangal and local dwellers as Ghoti). This categorization is preloaded with cultural derogation, ethnic hatred, and prejudices, which have significantly reinforced the criminogenic environment within the area (Holmes and Smith, 2008). Through a gradual process, migrants have not only acquired immunity and resistance to the process but have recreated similar prejudices, hatred, and derogation. In such circumstances, the sensitivity and vulnerability of the social structure frequently outburst into regular assaults and violence. The confrontation of engaged communities has mostly been exposed to land resources. It has become the sensitive reality of local communities of the area concerning the other migrants, including the migrants from Nepal and Bhutan. However, the sharp cultural distinctiveness of the local communities with the migrants from Nepal and Bhutan has led to little flexibility in between but it often results in individual and group violence influenced by ethnic elements (Schiller and Fouron, 1990; Murch, 2010). By considering these ailments, it would be pertinent to analyze that; indeed, the area is standing upon a highly sensitive sociocultural context of criminality (which is sometimes triggered by the political and administrative engagement) which we are experiencing in the growing rate of crimes in the space and the-social embodiment into the epistemological concern of crime and criminality.

Thus, it may be said that the cultural closeness or similarities and ancestral connection between these two groups remain the major ingredients for the high intensity of hatred and violence between the locals and migrant people from East Bengal or Bangladesh compared to the disputes that arise with other migrant communities. In such circumstances, on the one side, the partition mechanism imbued a sense of superior social status among the locals against migrants based on native ethnology, for which once they have extended cordiality to the migrants, on the other side, historically, the belongingness from the same geophysical territory gives a sense of not accepting the domination of the superiority of natives by the migrants. The circumstance has created a vulnerable psychological and behavioral disposition between the groups and individuals. It has fertile ground for contradiction and conflict based on ethnic sentiment, regularly exposed to several forms of criminality.

## Significance of Migration as A Methodological Factor

The common epistemological tradition analyzes crime in the context of migration as a positive correlational factor and concludes accordingly. This analysis pattern puts *migrants* into focus and scales the behavioral changes of individuals and groups in a certain place (Ferracuti, 1968, Sun and Reed, 1995). However, the study proposed with this shifts its focus by stressing the process of *migration* itself to understand the context of crime and criminality. It is neither 'migrants/immigrants' nor 'natives,' but the 'migration' itself is responsible for the increasing rate of criminality. Hence, not the migrants but the process of migration itself comprises several ingredients (i.e., geophysical disputes, sociocultural conflict, lingual disposition, religious distinctiveness, etc.) that affect ethnic temperament and cause criminality, which remains one of the crucial factors of criminality in the study area.

Therefore, the present study has tried to identify the people by focusing on the ecological approach to analyze the inhabitation of the natives and migrants (Park, 1925). It shows the parallel coexistence of both groups at a certain distance, but not very far, while the distance is insignificant in the case of other migrant communities. The residence of migrants takes place within the same village or locality of natives but on the reverse or oppositional side, as if one is inseparable from the other but scoped the inevitable confrontation that results in conflict and violence. Doing so exhibits a dialectical coexistence of both groups in structural representation in the long run. Ethnic conflict becomes a necessary element in the everyday sociocultural course of action with different intensity levels. It also becomes an all-inclusive phenomenon in the regular negotiation between natives and migrants. It constantly produces and reproduces the social grounds of assault, violence, ethnic stereotyping and prejudices, hatred, defamation, and often more severe crimes.

Therefore, the researcher has selected localities with the abovementioned characteristics to understand the social context of regular conflict and incidents of criminality and has witnessed a few cases. In some cases, the researcher relied upon some informants to collect the information and hear the story behind the disputed scene to understand the reality. The close observations have enriched the researcher to extend the analysis appropriately by exemplifying the socio-behavioral pretext of the conflict and gradual violence, criminality, and criminal behavior.

## Methodology

The study was conducted in the jurisdiction area of Matigara Police Station, which is a significant part of the Siliguri metropolitan area and the second largest expanding city in West Bengal. The area is experiencing rapid growth in population, economy, and other aspects of life and living. Starting from very north of the area, covering both



sides of rivers Balson and Mahananda (Two major rivers of the inland city, out of which Balason River has covered most of the part of the study area) and adjacent fringed areas are with the rampant settlement of migrant population. A few other parts of the sub-division are also included with such a migrant population. Regarding economic and geophysical significance, these rivers have given easy access to the migrants for their survival settlement and primary source of income (Desmond and Kubrin, 2009). The Balason and several other small rivers and streams have similar population congestion (*Such as Panchanoi, Lachka, Magurjan, etc.*).

All these rivers are incredibly significant for the survival settlement of the migrants under the pretext of their poor socio-economic condition. At the same time, the primary settlement of migrants in such abandoned places remains non-significant to the native local dwellers. It is the second phase of settlement for the mentioned migrants. In the first phase, they are immigrants from Bangladesh; in the second phase, their settlement in those places, as mentioned above, is intra-migration. After the cordial phase is over, because of gradual disputes with the host families (sometimes as a normal choice), the second phase takes place in their journey of settlement. Eventually, many such migrant populations will settle together with a similar process of exclusion and separation from the locals. It helps to develop their separate community with similar experiences with similar economic and sociocultural statuses (Shamshad, 2017). Their journey of life, histories, experiences, happiness, and miseries bind them together in a common sentiment and struggling status.

## Results

### *Politicization of Migrants*

The study area, Matigara, is not only the place but also more or less all other parts of the city have similar conditions to the growing population. Such a huge population concentration in every abandoned space immediately becomes an attractive centres for daily trade and businesses. By participating in specific commercial and economic activities, migrants pave their journey into the mainstream sociocultural current. Gradually, the growth of other non-economic institutions (schools, clubs, offices, religious centres, administrative centres, etc.) becomes necessary in those localities, paving the way for political intervention. Thus, these spaces become significant for political interests.

It constellates another layout of distinguishing crime in the story of migration; other than that there is no such distinct credibility in finding the migrants exclusively into violent and other forms of criminality (Sampson and Wilson, 1995). Political intervention in ethnic relations results in arresting one group in evil in front of others

irrespective of harmonious inter-community relations with which the Indian society has been combating for a long. In doing so, the engagement of political lobbies creates a peculiar condition in the territory.

Historically, these migrations have been characterized by the colonial political decision to partition the geophysical territory, including its people and their relations (Datta, 2004). Immediately after the partition, the obvious conditioning of illegal immigration became a significant card in Indian politics, especially in the politics of West Bengal (Gillan, 2002; Chatterjee and Basu, 2017). It has brought a different significance to political economy in different political phases in the territory. Specifically, the case of North Bengal, where Siliguri is the sub-division of the Darjeeling district, represents a dramatic context of political association to the fullest throughout history.

The only significant city in the entire territory of North Bengal comprises multiple positive opportunities to select the place as a suitable destination for said immigrants, irrespective of any push factor. Therefore, the study intends to analyze political engagement in such a scenario and examine the condition of criminality.

Each political regime of governance was distinctive in dealing with the immigrants of the territory. It is not that the initial accordance was very cordial from the end of local people only, but the contemporary political representation was also in favor of the immigrants through the governance. In this regard, the contemporary government regime of the territory had long been dominated by the left political lobbies and was empathetic and compassionate to the immigrants from Bangladesh. The then-central government also positively viewed refugees from Bangladesh's then-just-separated nations. Therefore, no doubt the period remained golden for the immigrants, and they received compassionate cordiality from every corner of the host society. There were/are many other political representations in the governance at different times with different stances to deal with the said refugees and gradually who turned into illegal immigrants.

### *Body Politic*

The size and number of immigrants have/had become a powerful determinant in supplying strength to all political parties/lobbies in representing successful governance and accumulating power in the modern era (Foucault, 1977). Sometimes, this number has been used positively and sometimes in a negative way, but, in both cases, it is to secure a successful political campaign targeting to set the governance by using the migrant bodies as a significant one (1977). Broadly, the left political stances incorporated the migrant body positively, which went in favor of immigrants and helped them to remain refugees, which also set the ground of cordiality. The non-left political stances have used the immigrant card by making outnumbering the immigrants. It had confirmed the end of the cordial phase and turned refugees into illegal immigrants (although



the sentiment of Hinduism put little flexibility into it). Now, the refugees came to be realized as a threat to the host community, a threat to national security, and a threat to the resources for a living (Kumar, 2013). Refugees are no longer remaining refugees who were being treated with empathy or compassion but introduced hostility and disappointment between everyday mobility, conflict, violence in politics, etc. (Sur, 2014).

In the case of the left stances, the issue had functioned to accumulate the consent from both the communities in favor of the regime through inductive rationality; accumulating the consent of host people for their cordiality to refugees and earning the consent of refugees was easier by just letting them set their living. On the other hand, non-left political stances have focused on deductive rationality and tried to earn the consent of people (citizens) by deviling the refugees and turning them into illegal immigrants. The process of deviling refugees can be made by finding them into more and more criminality. Eventually, both communities are being tempered with vulnerable sensitivity against each other, especially since the temperament of youths is most severe because youths are already fragile in terms of age and other concerning characteristics. Furthermore, this political sentiment infused cultural hatred and accused of deprivation against each other, which tempered the youths in a more violent attitude toward each other. It also infiltrated a sentiment in nationalist discourse and recharged a distinct political context of nationalism in the area as well as throughout the country (Shamshad, 2017).

Hence, the political economy of such migration has notably resulted in determining crime and criminality in the area. Such a journey of refugees turning into illegal immigrants has the imprint of finding ethnic communities in criminality based on migration. Perhaps this is the reality in all cases of partitions of intimated nations worldwide where the political economy of migration is crucial. Thus, it develops an oriental context in contextualizing crime and criminality. But at the same time, the occidental approach of criminality to consider migration as the inevitable criterion in determining crime from the end of policing and the attitude of the academic arena has led to remain at its surface only (Cain, 2000).

### *Process of Identity Formation*

The residential address and economic participation are insufficient to deal with the aforementioned inferior sociocultural status of the immigrants. Many other aspects are also there, which they incorporate into everyday life and living. These primarily include the demands of basic civic amenities and infrastructure necessary in everyday life, such as roads, sanitation, electricity, etc. (Swain, 1996). All these elements would approve participation in civil society and gradually secure a place in the political sphere. Thus, citizenship identity becomes the prime concern at this stage, which would gradually

approve participation in all other segments of mainstream society. The recognized civic status extends the recognition of social and cultural status, eventually bringing the sociocultural resemblance with the host community. But, the fact is that such changes in the recognition pattern with growing concomitance in the sociocultural sphere of both communities result in an anomaly in terms of equitability (Lin and Paul, 1995). The gap between the communities is constantly reducing, and they are commonly exposed to the rapid changes in the living of immigrants and lagging the host. Hence, the intensity of cordial cooperation from the locals evaporates; rather, the condition works for growing negative sentiments between them. The host community members feel the refugees are a threat and challenge to their preconceived right to all material and sociocultural supremacy.

On the other hand, the refugees struggle to fit into the recognized social structure in all possible ways. The resources and subsistence of life are common now for both communities, inevitably resulting in conflict and growing dissatisfaction with each other. The dissatisfaction inevitably produces anger and violence, which become the everyday source of criminal happenings in the present area. The proportion of advantages and disadvantages for the communities based on ethnic feelings sheds the criminal picture of the territory, which is a potential matter of concern.

## Discussion and Conclusion

The colonial authority's imposition on the territory's historical canvas has been initiated by rewriting the sociocultural relations among its people, dividing them into two geophysical territories in its postcolonial condition. Although it has some more sociopolitical agendas, the role of colonial state authority is inseparable from understanding the social reality of the study area. It has been initiated and passed over seven decades but continues even more intensely nowadays. As time passes, more hatred and derogations have accumulated against each other. As a result, we encounter frequent incidences of violence and assault, which eventually exposes a rapid increase in criminality deriving from this ethnological contradiction. The crime incidents have significantly contributed to the total figure of crime and criminality over the space, significantly affects the quality of life of the commons. In the occurrence of such crime and criminality, likewise, the common nature of criminality is related to the social status of individuals; often, women and children become victimized, which also triggers sex crimes in the area. Gender, age, and sexuality symbolize violence and consequent criminality in the area (Braithwaite and D'cotsa, 2018).

Within the study area, under the jurisdiction of Matigara Police Station, large settlements have grown with these features and characteristics. The settlement on both sides of the Balason River comprises many migrated populations, specifically from

Bangladesh. However, the other immigrants do not have similar disposition in crime concerns. Therefore, the truth behind criminality's ecological or geophysical exposure may not be exclusively the ecological cause. Instead, the historiography is potentially functional, especially in the case of postcolonial social structure, which underpinned the actual reality.

Furthermore, the study has also tried to reveal how the political engagement in this opportunity structure negotiated and manifested violence and criminality in migrant and indigenous bodies (Rao, 2009). (Cited in Braithwaite, D'costa, 2018). This also wraps the oriental crime and its context into the occidental package and puts migration as a common criterion that is unable to explain fully in the contextualization of crime and criminality in the study area, as it is bearing the potentiality of the historical event of partition of India (Cain, 2000).

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