

**POLICIES AND  
PRACTICES**

**99**

# **Migration and Governance - I I**

**Responsibility to Protect :  
Questions of Race, Religion, Resource  
and the Unspoken Fourth**

  
**ROSA  
LUXEMBURG  
STIFTUNG**

December 2018



Policies and Practices 99

December 2018

Published by:  
Mahanirban Calcutta Research Group  
GC-45, Sector-III, First Floor  
Salt Lake City  
Kolkata-700106  
India  
Web: <http://www.merg.ac.in>

ISSN 2348 0297

Printed by:  
Graphic Image  
New Market, New Complex, West Block  
2nd Floor, Room No. 115, Kolkata-87

*Gefördert durch die Rosa-Luxemburg-Stiftung e.V. aus Mitteln des Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung der Bundesrepublik Deutschland.  
Sponsored by the Rosa Luxemburg Foundation eV with funds of the Federal Ministry for Economic Cooperation and Development of the Federal Republic of Germany.*

*The Rosa Luxemburg Stiftung (RLS) is a Germany based foundation working in South Asia and other parts of the world on the subjects of critical social analysis and civic education. It promotes a sovereign, socialist, secular, and democratic social order, and aims at present members of society and decision-makers with alternative approaches to such an order. Research organizations, groups working for self-emancipation, and social activists are supported in their initiatives to develop models that have the potential to deliver social and economic justice. The work of Rosa Luxemburg Stiftung, South Asia can be accessed at [www.rosalux.in](http://www.rosalux.in).*

**Migration and Governance II:**  
**Responsibility to Protect**  
**Questions of Race, Religion, Resource and the Unspoken Fourth**

**Paula Banerjee**

**2018**



# Responsibility to Protect: Questions of Race, Religion, Resource and the Unspoken Fourth

Paula Banerjee \*

In the April of 2010 Jan Brewer, the Governor of Arizona signed a bill that proposed that for migrants, the failure to carry immigration documents is a crime and the bill gave the police broad powers to detain anyone suspected of being in the country illegally. The bill was clearly aimed at the “illegal” entry of the growing Hispanic population in the United States of America. It was also alleged that both the “proponents and critics alike said that this bill was the broadest and strictest immigration measure in generations.”<sup>1</sup> But the question remains: how were these migrants to be identified? The answer one can presume is: but of course migrants will look different and act differently. So can any non-Caucasian in the wrong place and at the wrong time be branded “illegal” unless proven otherwise? Micky Hammon, the Alabama House of Representatives’ Republican majority leader allegedly asked his fellow legislators to draft a bill that will so terrify the Hispanic population that they will themselves leave. “This bill is designed to make it difficult for them to live here so they will deport themselves,” said he.<sup>2</sup> A pro immigrant activist Mary Bauer, the legal director of Southern Poverty Law Centre in Montgomery Alabama bemoaned: “Tens of thousands of people have left, and the people who remain are completely terrorized by this law.”<sup>3</sup> The Hispanic population of the state, it is said, were dreadfully frightened. This bill clearly made suspect of anyone who seemed alien. This was not the first effort to control immigration on the basis of race and neither will it be the last. In this paper I contend that both citizenship and migration rests on a triad that was constructed through the axis of race, religion and resources, and gender remains the unspoken fourth. So migration and forced migration studies become meaningless if these extremely volatile issues are not considered in their proper perspectives. Race and religion create the alien body that is then forced to move and cross borders. But this very act of crossing borders can also create further borders as SB 1070 of the United States of America proves, particularly in the context of Arizona. Therefore, without understanding the ramifications of race, religion, resource and gender one cannot understand forced migration and such analysis fail to give forced migration studies its proper credence.

---

\* Paula Banerjee is the Vice-Chancellor of Sanskrit College and University, Kolkata and a member of the Calcutta Research Group  
Policies and Practices, Issue No. 99, December 2018

## Race and Belonging

Forced migration is a fairly recent field in pedagogy. It began in the global north after the Second World War as refugee studies. It became clear that modern state formation was often accompanied by large scale population displacements resulting in large population groups becoming refugees. Suddenly there was an upsurge in interest on who these people were. When it became evident that these people were racially and perhaps even by religion different, this population movement came to be recognised as a crisis. What was ignored was the knowledge that population movements have happened in all historical periods and not especially during and immediately after WWII. But forced migration in the context of the known history of Europe were largely movements of white people. So it was never considered as a problem or crisis. But the end of colonialism witnessed partitions that often went hand in hand with hordes of people moving in the global south who were non-white. Many of these people had aspirations to move to the global north because they correctly associated their marginality with colonial rule that made race the bedrock of acquisition of benefits such as citizenship, power sharing and attainment of material benefits and resources. So countries in the global north marked such movements as crisis that necessitated policies and laws that gave the authority to respective states as to who should be taken and who shunned. Because more people were stopped from entering the northern borders, policies and laws were formulated and the hordes that were moving were homogenised as faceless, nameless mass and in no way were they humanised in the narratives because the moment they appeared as individuals, their claims for rights and resources could not be legitimately ignored. At the centre of resource sharing was the question of citizenship and who belonged was a conscious decision made by the ruling elite. Those who were considered as unworthy of being recognised as a citizen were either to be tolerated as a precarious group who might provide cheap labour or they were to be forced out joining the ranks of the “nowhere” people.

According to social scientists such as Manuela Boatca and Julia Roth, “an entire Occidental tradition of citizenship theory viewed citizenship as a modern, progressive institution that helped overcome particularities of unequal social origin.” But contrary to that claim western scholarly tradition makes it obvious that, “the institution of citizenship has developed in the West through the legal (and physical) exclusion of non-European, non-White and non-Western populations from civic, political, social and cultural rights.”<sup>4</sup> Citizenship from the time of Max Weber was posited against the institution of slavery and institutionalization of citizenship was portrayed as a progress from bondage to freedom. As an institution, citizenship was considered as an equalizer and a paradigmatic shift from the spectrum of social hierarchies at the other end of which were the slaves. This was highlighted even more in the colonial times when aliens were denoted first and then it was indicated who could be a citizen.<sup>5</sup> Race, religion and resources were the three pillars on which citizenship was perched. In the case of the colonizing countries where modern capitalist world order was in the making, resources became a key question for acquiring citizenship. But in the colonies, it was often race and religion that was privileged and resources was usually the third signifier of citizenship. For example in the case of a French colony Saint Domingue, where there was a revolt of the enslaved resulting in the liberation of the slaves in 1794, the question of citizenship was hotly contested between the white settlers and the native mulattos. Even though the contribution of the former slaves dominated the rhetoric of freedom, notions of colour took precedence over property when the question of citizenship was decided. Although many mulattos were property owners, it was the white population that was privileged when citizenship was awarded.<sup>6</sup>

In the United States of America too, the question of who should get the material and ideological benefits of citizenship was intensely debated. Questions of citizenship came up at a time when the African Americans, largely recently liberated from slavery, were moving into northern and western cities in the United States from the rural south and the country as such was facing an influx of migration from Europeans who were not quite of the same group of people who had migrated earlier. According to some social scientists, it was a time when “the category of ‘white’ was subject to challenges brought about by the influx of diverse groups who were not of the same Anglo-Saxon stock as the founding immigrants.”<sup>77</sup> The African Americans created a major hurdle in denoting who could be a citizen because for most they were markedly the alien. This provided scholars a particularly rich topography for the examination of the dynamics of racialization. But according to iconic black writer Toni Morrison “blackness” was both a hurdle and a harbinger to creative imagination on the question of who belonged. “Black slavery enriched the country’s creative possibilities. For in that construction of blackness and enslavement could be found not only the not-free but also, with the dramatic polarity created by skin color, the projection of the not-me. The result was a playground for the imagination. What rose up out of the collective needs to allay internal fears and to rationalize external exploitation was an American Africanism - a fabricated brew of darkness, otherness, alarm, and desire that is uniquely American.”<sup>78</sup> However that American view of “otherness” when juxtaposed with a sense of “alarm” created vulnerabilities that could be consciously exploited for ages. The legitimisation of hierarchies created out of such attitudes made American democracy, not exceptionally so, premised on constant creation of minorities who were kept out of equations of power sharing.

While the African Americans were decidedly vulnerable, still they were accommodated within the American mindset. They entered the American homes albeit as domestics but at least found a space in the American imagination. As early as 1905, more than single black women in the city of New York were domestic workers. Most of the African American migrants moved to big cities such as New York, Philadelphia, Boston etc.<sup>9</sup> Although they were far below in power hierarchy their presence within white American homes saved them from invisibility and complete subjugation. In W. E. B. Du Bois’ seminal work *The Philadelphia Negro*, we come to know that these former slaves were not just tolerated but rather encouraged in the white American homes. About one “coloured” domestic help, the employer commented that: “Our experience of them is that they are infinitely cleaner than the white Irish, both in their work and personally; they are more self-respecting and better mannered—more agreeable in manners; indeed, I have found them capable of the very highest cultivation of manner.”<sup>10</sup> Perhaps even more than “blackness” as Toni Morrison puts it, the fear was more palpable about migrant aliens. From Du Bois’ exposition one gets some insight into how the Irish migrants were viewed. But the Irish were almost white.

Very little can be learnt about the non-white migrant groups in the United States in the early nineteenth century, which was a high point of migration to the free world. Around the 1850s, Chinese peasants were coming to United States in fairly large numbers. They were engaged as miners and railroad workers and faced tremendous repression. One legal analyst discussed how the “Asian” migrants led to the concept of “ineligibility to citizenship.” She said that such a construction was applied “to all Asians, justifying and perfecting their exclusion from imagination, and that completed the ‘Asiatic’ as a peculiarly American racial category.”<sup>11</sup> About the Chinese migration in particular, a migration that ultimately necessitated the construction of the “Asiatic,” the Governor of California, Leland Stanford in his inaugural address in 1862 announced that:

...the settlement among us of an inferior race is to be discouraged by even legitimate means. Asia with her numberless millions, sends to our shores the dregs of her population. Large numbers of this class are already here; and, unless we do something early to check their immigration, the question, which of the two tides of immigration, meeting upon the shores of the Pacific, shall be turned back, will be forced upon our consideration, when far more difficult than now of disposal. There can be no doubt but the presence of numbers among us of a degraded and distinct people exercise a deleterious influence upon the superior race, and, to a certain extent, repel desirable immigration.<sup>12</sup>

The troubles faced by the Chinese workers were stupendous but that history is all but obliterated. One way of unearthing knowledge about minority groups especially those that have been moving is through acquiring knowledge regarding their resistance to persecution. Much of this understanding came from the field of gender and labour studies. But little is known about the resistance, if any, that was surmounted by the Chinese railroad workers. Ranabir Samaddar writes that:

...very little of the resistance of the Chinese labour except the famous strike in 1876, when on 25 June the Chinese workers left their grading work along a two-mile stretch on the eastern Sierra slope and went back to their camp. They demanded \$40 a month instead of \$35, and a reduction in hours. A workday on the open Sierra lasted from dawn till dusk; the Chinese labourers wanted to work no more than 10 hours daily. They also asked for shorter shifts in the cramped, dangerous tunnels. The company bosses responded with stopping food supply at the heights and deployed white strongmen<sup>13</sup>

From these writings it is clear that race dominated both the construction of the citizen and the construction of the migrants in the colonial period.

### **Citizenship: A South Asian Problem**

If one looks at the question of citizenship from the perspective of South Asia once again the issue of race rears its head. When one looks at India's northeast in the colonial period, the issue becomes even more clarified. To understand how differences were made that was ultimately racialised and then nationalised, one needs to look at colonial administration and the creation of differences as was done in the northeast of India in the eighteenth century. The colonial administration had introduced in that period the notion of "racial difference" between the plains and the hills. The hill people belonged to the "Mongolian areas", they belonged "neither historically nor racially" to "India proper" and its "backward area" (that is, plains in the northeast); and therefore as one colonial administrator, R.N. Reid, noted that while power would be soon transferred in the country, these people of the "non-Indian Mongolian areas" should not be made to negotiate with "alien politicians". Another administrator, J.P. Mills, noted the "sharp cultural distinctions... (which) needed little re-emphasis". The "languages of the hills with the exception of the Khasis were all Tibeto-Burman"; the indigenous system of self-government was "vigorously alive" in the hills while it had "disappeared from the plains", the "hills were clearly different", "self-sufficiency was greater, artistic development was higher, squalor and misery rare, and sense of social responsibility... high". And just as Hinduism and Islam covered all aspects of life in the plains, "Christianity or animism" similarly covered the tribal way of life.<sup>14</sup> In the context of what the colonial administration saw as racial, ethnic, and cultural differences, the Deputy Commissioner of the Naga Hills, J.H. Hutton, recommended the entire hill area between the two countries, India and Burma, to be made into a crown colony (like Singapore and Swaziland) after the transfer of power.



Yet, as we know, the nationalist pressure proved too strong for retaining such an indirect and graded system of rule. The 1935 Act with respect to Assam had designated the Northeast Frontier Tracts, the Naga Hills District, the Lushai Hills District, and the North Cachar Sub-division of the Cachar District as excluded areas. The Garo Hills District, the Mikir Hills in Nowgong and Sibsagar Districts, and the British portion of the Khasi and Jaintia Hills District other than Shillong Municipality and Cantonment became the partially excluded areas. A special cadre for the frontier area was created in Burma, and India followed suit. The only nagging problem remained the issue of slavery. The Government of India adhered to League of Nations' Slavery Convention (1926). Slavery, practised by many hill communities, therefore could not be allowed to continue indefinitely there. However, control over slavery and human sacrifice was only the beginning of the march towards extending full administrative control and settlement of the area. War became the second occasion. And the third occasion was the argument voiced by Gopinath Bordoloi and the Khasi leader Nichols-Roy, which gained ground after the war ended in that area, that with independence the fruits of self-rule and democratic institutions could no longer be denied to the hill people of that region. By the time the Indian constitution came to be framed, political exclusion of the hill areas (including Manipur and Tripura which had evolved along different historical lines) was out of question. The end of political exclusion meant also the end of autonomy. In free India, the race card regarding northeast was played to deprive rather than to include.

It was at the time of the debate on the provisions of the Sixth Schedule that such a mentality of the officials from the plain lands became apparent, particularly among members of the dominant religious, caste and ethnic/race groups. When there were discussions of making the Naga Hills an autonomous council, some of the responses of the members of the Assembly reflected the attitude of the architects of the Constitution towards these people. Kuladhar Chaliha from Assam was particularly vocal. He said:

The Nagas are a very primitive and simple people and they have not forgotten their old ways of doing summary justice when they have a grievance against anyone. If you allow them to rule us or run the administration it will be a negation of justice or administration and it will be something like anarchy.<sup>15</sup>

Although not as loud as Kuladhar Chaliha, there were many others who made it obvious that the Nagas did not belong among those who could govern. Brajeshwar Prasad from Bihar during the same debate stated that, "responsibilities of parliamentary life can be shouldered by those who are competent, wise, just and literate. To vest wide political powers into the hands of the tribals; is the surest method of inviting chaos, anarchy and disorder throughout the length and breadth of this country."<sup>16</sup> Even Gopinath Bordoloi who drafted the Sixth Schedule commented that currently hardly any of the tribes can be called self-governing but "the time may come when they may become fit to govern themselves."<sup>17</sup>

Discussions on the Sixth Schedule were a precursor of things to come in the future. The members of the Constituent Assembly who were deliberating on the creation of a democratic constitution for India were not merely obsessed with the idea of maintaining order as Paul Brass has suggested. That was just one of the things that they concerned themselves with. They were also in the business of constructing a citizenship loyal to the order that they were seeking to maintain. On the basis of such criteria, they constructed notions and discourses of who belonged and who did not. They created a hierarchy of citizenship and in that hierarchy many northeastern tribal groups were at the bottom rung. Their avowed difference was considered deviance and their looks also made them the marked aliens. They were at best patronised and at worst vilified. At the back of everyone's mind

was the fact that these people were not *us* and so unworthy of any autonomy or self-rule. Even as early as in the Constituent Assembly, the nation's leaders were using the language of their colonisers to deal with all those they considered as *other*/deviant. This was decisive in shaping State attitude towards the region. If one looks at the history of the Rohingyas in Myanmar, one begins to understand how race and religion was used to dis-empower groups in colonial and post-colonial periods.

Arguably the word Rohingya came from the word Rohang, which was the historical name given to Arakan. The treaty of Yandaboo of 1826 led to the absorption of the Arakan Hills into the British Empire. The border between Arakan and Bengal was always porous, leading to cross border exchanges. During nineteenth century the Arakan region witnessed migrations of Bengali Muslims into the Arakan Hills. These Bengali Muslims hailed from Chittagong. However, there is enough evidence to suggest that there was a Muslim presence in the Arakan hills even before the arrival of the Bengali Muslims from Chittagong.<sup>18</sup> Today Arakan Hills are in the Rakhine state in Myanmar. Much of the people in the Rakhine state are the Buddhist Rakhines and the Islamic Rohingyas. Other than these are the Chin, Mro and Khami. The Arakan Hills had their autonomous administration until 1784, when the Burman King Bodawpaya defeated the Arakan King and ended that autonomy. Later, the Arakan King took shelter in Bengal and the British got involved in the conflict, and after 1826, the Arakan Hills became part of the British Empire.

After Burma's independence in 1948, the political demands of the Buddhist and the Muslims from the Arakan Hills was never met. In 1962, when Ne Win seized power the situation of ethnic and religious minorities became precarious. In 1982, the new Citizenship Act made it impossible for Muslims to become full citizens. At best they were given a status of associate citizen. As for the Rohingyas, they became a stateless community in 1982 when the Myanmar Citizenship Law excluded them from the list of 135 national ethnic groups.<sup>19</sup> The situation of the Rohingyas became progressively more precarious. For decades Rohingyas have been subjected to excessive violence. In 1989, the Myanmar government issued colour coded scrutiny card for citizens but the Rohingyas were not issued any card. On 21 February 1992, U Ohn Gyaw, the Foreign Affairs Minister of Myanmar announced: "Historically, there has never been a "Rohingya" race in Myanmar? Since the first Anglo-Myanmar War in 1824, people of Muslim faith from the adjacent country illegally entered Myanmar Naing-Ngan, particularly Rakhine State. Being illegal immigrants they do not hold immigration papers like other nationals of the country."<sup>20</sup> This has been the official line since. From 1995, as a result of enormous pressure from the UNHCR, the Rohingyas were given a white card that could not be used to claim citizenship as that card did not mention a person's citizenship. The situation of the Rohingyas did not improve at all.

In 2015, the trials and tribulations of the Rohingyas became known to the world when it was discovered that hundreds of Rohingyas were perishing in the boats as they were trying to escape persecution in Myanmar. None of the other countries in the region were willing to take in the Rohingyas. With the Rohingyas were many Bangladeshi forced migrants. Not only were they being denied safe haven, they were also denied resources essential for survival. In these boats were women, children, the maimed, the sick, one and all trying to escape persecution and survive. Their first port of entry was Bangladesh because of proximity and religious affinity but in this case race/ethnicity was proving stronger than any other affinities. From 2009 onwards, even Bangladesh was refusing to accept Rohingya refugees. The plight of the Rohingyas in high seas led to protest by international human rights regime when open graves were discovered in Thailand. This more than any other event revealed the precarious situation of the Rohingya population. In March 2017, another crackdown on the Rohingya Muslims was defended by the Myanmar government as counter

insurgency operations. Social scientists call the Rohingyas “the world’s most persecuted minority without citizenship.”<sup>21</sup> As for Rohingya women their situation is even worse. According to one observer, “because of the diversity among Burma’s 135 officially-recognized ethnic groups generalizing about them is risky. However, there clearly exists a country-wide pattern to the abuses suffered by Karen, Karenni, Mon, Shan, Kachin, Chin, Arakanese, Rohingya, and other ethnic women.”<sup>22</sup> Among the groups mentioned, the Rohingya women are worst off because they belong to a stateless community. A 440 page report by the UN Human Rights Council (UNHRC) released in August 2018 details the persistence of crime against the Rohingya women in Myanmar. The report “includes accounts of women tied by their hair or hands to trees then raped; young children trying to flee burning houses but forced back inside; widespread use of torture with bamboo sticks, cigarettes and hot wax; and landmines placed at the escape routes from villages, killing people as they fled army crackdowns.”<sup>23</sup> An UNFPA report states that even in camp sites, “women and girls report being harassed while attempting to access humanitarian services or perform essential tasks, such as collecting water or using the latrine. Many lack adequate clothing and essential hygiene items.”<sup>24</sup> It is obvious that the situation of women gets worse when their communities are under siege. Do crimes against women increase when a community is under siege due to racial and religious reasons?

### **The Unspoken Fourth**

According to Carolyn Merchant, in debates over how certain groups were perceived as aliens, there were debates on the nature of women in Europe. In the terms of this debate, women were considered as essentially emotional and fragile and they needed firm control to guide them. Just as nature’s disorder necessitated order, her chaos presaged control, and that which was wild needed to be tamed. Merchant argues that the mastery of women coincided with the mastery of nature in European society. In this way, Merchant argues that women became the emotional resource for men, but this resource needed to be harnessed.<sup>25</sup> Women were increasingly restricted, not only in production, but in reproduction as well. As far as I am concerned, it was women’s economic role that was necessitated by subsistence living in families. Thus women remained economic resources, but their control was justified by highlighting their ability to be emotional resources for their husbands. If women were not marked as having emotional imbalance, then their control by their husbands working through marriage could be questioned and the entire family structure challenged. Husbands were like superior races ordained to control. These were institutions meant to maintain social order imbued with religious values. In this sort of framework, women living alone were also perceived as a social threat. In 1492, an ordinance was passed in Coventry forbidding women under the age of fifty to live alone. Instead they could go into service until marriage. But within a century economic independence for women was becoming increasingly difficult.<sup>26</sup> It was with the arrival of the modern era that women began to lose out even more. French Revolution legitimised the de-politicisation of French women by denying them the vote. How could they be a citizen (*citoyenne*) without the vote? Even in case of participation in work, women were progressively losing out because of middle class domesticity. The skills argument was used to deny women who were deemed unfit for prime jobs because of lack of skill.

In 1990, Steinberg uncovered the often arbitrary and subjective basis of skill determination and its relationship to job awards. She concluded that males exerted considerably more power over the definition of skills, and the maintenance of those definitions.<sup>27</sup> Apart from Steinberg, Sawchuk showed the fallacy of the skills debate and argued as follows:

the failure to recognize the socially situated and collaborative nature of all skill performance; the failure to openly address the imbalances of power and thus the tendencies to reproduce inequities; the failure to recognize economic, sectoral, organizational dynamics; and finally the failure to address the conflation of 'actual skill/competency' versus relations of 'power/control'.<sup>28</sup>

By exposing the caveat in the skills debate, feminist authors were able to argue that skills are defined as a non-racial and un-gendered conception because of conscious decision of certain groups. Where migration is concerned, the skills debate proved to be particularly problematic for women. It could be used to both displace and deny asylum. Even when skills of forced migrants are considered as real, they can be viewed with suspicion. Skill was used as a construct particularly to deny 'aliens' and among all 'aliens', the skill regime deprived women the most. Most forced migrant women lost out when their skills were considered crucial for giving them asylum. What qualities they did not possess was often defined as skills. Racial threat perceptions made qualities they possessed a suspect.

The entire construction of the skills regime played into the fear of migrants. Very recently Donald Trump's response to the caravan people portrayed the racial connotations of forced migration. According to one feminist social scientist, "both sensationalist and more moderate immigration restriction efforts rely upon seemingly identity-neutral narratives of protecting the well-being of a vulnerable national citizenry to justify the illicitly racialized and gendered treatment of undocumented immigrants and their citizen children. Commonsensical notions of biological reproduction are welded to emotional distress over national precariousness, weighing down abstract claims that immigration generates a national state of emergency."<sup>29</sup> Compounded with this is the notion of lack of necessary skills of forced migrants, particularly forced migrant women.

### **Forced Migration and South Asia**

In the context of South Asia, forced migration was closely related to both race, religion and gender. We have already discussed the issue of race. Now let us turn to the issue of gender. Thus, modern states that are built on gender differences develop a precarious relation with its women. Women became both subjects of the state as well as its other. In pluralistic societies such as those found in South Asia, "the modern projects of national independence, state building, and economic development have had distinctive gender implications and outcomes." The nation building projects in South Asia have led to the creation of a homogenized identity of citizenship. State machineries seek to create a "unified" and "national" citizenry that accepts the central role of the existing elite. This is done through privileging majoritarian, male and monolithic cultural values that deny space to difference. Such a denial has often led to further segregation of the marginalized, on the basis of caste, religion and gender from the collective we. One way of marginalizing women from the body politic is by targeting them and displacing them in times of state versus community conflict. As a refugee, a woman loses her individuality, subjectivity, citizenship and her ability to make political choices. As political non-subjects, refugee women emerge as the symbol of difference between us/citizens and its other/refugees/non-citizens. Refugee women become the material for the symbolic construction of the nation's boundaries. By studying women's displacement in South Asia, authors came up with these theoretical assumptions and more. In discussing women's experiences of displacement, they portrayed how as dislocated subjects women negotiate spaces to retrieve agency in the face of institutional apathy.

Privileging women's experiences in refugee discourses in South Asia began with Sri Lankan analysts. Selvy Thiruchandran, Sasanka Perera and others claimed the centrality of women as

dislocated subjects. Perera in his study on Monaragala and Hambantota districts worked on households that were formerly headed by male members, but now they are headed by female members. He came up with experiences of how women have coped with trauma and yet have continued their everyday life amidst depression, lack of economic opportunities and justice. He called for people working with the displaced population to be more sensitive to women as in most cases it is they who have taken up the onus of giving stability to their families.<sup>30</sup> Darini Rajasingham Senanayake wrote on how strongly women came out during the civil war in Sri Lanka. They stood out as individuals or as small groups exposing atrocities and violations of dignity. She says women's history does have a triumph. There is powerlessness and disappointment but also dreams and hopes.<sup>31</sup>

It is these writings that recognized that even in their marginality, refugee women are never merely victims. Bolan Gangopadhyay's essay on women refugees from East Pakistan portrays how women exert agency even in situations of marginality.<sup>32</sup> It has been recognized that the women refugees from East Pakistan/Bangladesh have altered the work pattern of women in Bengal and changed the definition of what constitutes a *bhadramahila*.<sup>33</sup> Women have often used their marginality to retrieve agency. The *Women of Vitasta* in Kashmir is a case in point. Afghan women in Pakistan have for long agitated for their voices to be heard in peacemaking. Dislocation is a debilitating experience no doubt but there are many exceptions when women have transformed it into an empowering one. They have assumed newer roles as heads of households. Such experiences have increased their confidence, though at times it may have contributed to their trauma. I have met a number of women in camps in Sri Lanka who have used dislocation as an empowering incident. They have happily assumed the role of breadwinners. When these women take refuge in a different country, they assume agency even in the face of opposition from asylum giving states because in a new area they are able to transcend patriarchal control. Sometimes repatriation can seem problematic because these women are then forced back within the control of traditional patriarchy.

These studies on women's forced displacement work against a State centric narrative on the situation of refugee women as mere victims. They focus attention towards the argument that State policy often results in the creation of refugees. State policy is not un-gendered. It results from a political effort to homogenize citizenship. The ruling elites decide who belong and who does not. Rape, sexual assault, and other gendered crimes are perpetrated against women to dislocate the civil society (which in conflict situation is formed largely of women) of the other in moments of conflict. Crime against women are then trivialized as a natural result of conflict. Therefore, death or a serious threat to liberty becomes a reason for asylum but rape or vulnerability to human trafficking does not. Such a value judgment makes it even more difficult for women to seek asylum. This is a way of reducing the importance of crime against women and then marginalizing women and reducing them to the status of political non-subjects. To retrieve women's experiences from such marginalisations, it is essential to recognize the individual voices of refugee women in any narrative of displacement. Narrative based on responses of South Asian states cannot do so because governmental discourse reduces women to the status of victims and then justifies their experiences as marginal and hence unimportant. Only by retrieving refugee women's own voices and not dismissing their individual experiences as anecdotal can we centre the marginal.

Eileen Pittaway and Linda Bartolomei says that for too long, the prevailing discourse about refugee women and girls has been about a vulnerable minority. This has been reinforced by media stories and fundraising advertisements which depict them as helpless and hopeless. It is true that these women are vulnerable but so are the men who become victims of forced migration. So why privilege women's experience is something that we are often asked. While sharing with men and boys

the same basic needs for food, water, shelter, sanitation and security, they do have additional and significantly different needs. The most important difference is that of endemic and often systemic sexual and gender-based violence against women and girls. Men and boys are also victims of sexual and gender-based violence, which again generates the need for different and appropriate responses.<sup>34</sup> If one negates the sexual abuses faced by the Rohingya women both in their state of origin or in their host countries, then one misses the larger picture of why a gendered analysis is important.

To concentrate only on the vulnerability of refugee women, either through the axis of race, religion or gender can be a disservice to these women. As many feminist scholars have shown us, the service that these women give to their host countries as well as to their families is a testimony to their strengths. In the post partition days, refugee women and girls entered the work force in large numbers thereby allowing middle class women to access other forms of work. Ishita and Deepita Chakravarty write that, “the three decades after independence were crucial in shaping domestic service as a strongly feminized area of work with a large-scale presence of girl children working in the urban areas. The high rate of participation by very young girls in paid work, in a state which historically has a low female work participation rate, has made the case unique.”<sup>35</sup> There are other authors who talk about the emancipating experience of *bhadramahila* joining the work force in the post partition days.<sup>36</sup>

Even as forced migrants, women perform enormous service for their families. They concentrate “all their efforts on bringing up their children in a safe and stable environment.”<sup>37</sup> In the case of Sri Lanka refugees, we have seen more often than not, more women sought work than their men. Women take up temporary labour to cope with material difficulties. Even in camps in Gujarat after the riots in 2002, women were continuously looking for work.<sup>38</sup> It is the women who “maintain cohesiveness within the family by consciously assessing the situation and deciding that their duty is to provide their dependents with financial and emotional security.”<sup>39</sup> Regarding the situation of women in Sri Lanka, one analyst has commented, “displacement and camp life had also provided spaces for empowerment for several Tamil women who had taken on the role of head of household for various reasons.”<sup>40</sup> Women have had great impact both in displacement and in rehabilitation and the masculinist and mainstream narratives have often forgotten that.<sup>41</sup>

## **Intersection of Race and Gender: The Forced Migrant**

In this paper I have tried to portray how race and gender have impacted on the citizenship question thereby impacting questions of forced migration. Race becomes the ground for deciding who belong and who does not. Creating forced migrants is the result of a conscious will and gender becomes the axis through which groups are made vulnerable. Women’s bodies are transformed into borders that is in the middle of the debate of belonging or not. About the intersection of race and gender in the refugee question Eileen Pittaway and Linda Bartolomei comment:

During armed conflict, women can become the targets of “ethically motivated gender-specific” forms of violence. Ideological frameworks developed by extreme forms of nationalism and fundamentalism that reify women’s image as “bearers of the culture and values” have led to widespread sexual assaults against women as political acts of aggression. Such acts of sexual aggression are often fuelled by race and gender-based propaganda. An additional intersection of race and gender is the forcible impregnation of females from one ethnic group by males from another group as a form of genocide. Women bear the direct impact of these actions. Racism, racial discrimination, xenophobia, and related intolerance have increasingly been used to incite armed conflicts over resources and rights within and between countries around the world.<sup>42</sup>

In recent days Donald Trump's views about South American and Mexican refugees portray how questions of race and migration are intertwined. Our own work on jailed Bangladeshi women and Rohingya women portray how gender and race impact women migrants. In these jails their children are removed from them thereby castigating them as suspect mothers. Therefore any course on forced migration or refugee studies remains incomplete without a racial and gendered analysis, particularly without looking at the intersections of race, gender, labour and migration.

## Notes

<sup>1</sup> Randal C. Archibold, "Arizona Enacts Stringent Law on Immigration," 23 April 2010, The New York Times, Section Politics, <https://www.nytimes.com/2010/04/24/us/politics/24immig.html> accessed on 7 July 2018.

<sup>2</sup> Micky Hammon, quoted in Kenneth Jost, "Should states crack down on unlawful aliens," CQ researcher, <http://library.cqpress.com.ezproxy.oswego.edu:2048/cqresearcher/document.php?id=cqresrre2012030900&type=hitlist&num=1> accessed on 23 August 2018.

<sup>3</sup> Mary Bauer, *ibid*.

<sup>4</sup> Manuela Boatca and Julia Roth, "Unequal and Gendered: Notes on the Coloniality of Citizenship." *Current Sociology Monograph*, 2016, Vol. 64 (2), pp. 191-212.

<sup>5</sup> Paula Banerjee, "Aliens in the Colonial World," in *Borders Histories Existences: Gender and Beyond* (sage, New Delhi, 2010) pp.

<sup>6</sup> R. Blackburn, *The Overthrow of Colonial Slavery* (Verso, London, 1988)

<sup>7</sup> Michael Omi and Howard Winant, *The Racial Formations in the United States: from the 1960s to the 1990s*, Second Edition (Routledge, New York, 1994) pp. 64-65

<sup>8</sup> Toni Morrison, *Playing in the Dark: Whiteness and the Literary Imagination* (1993) p. 38.

<sup>9</sup> Komberly L. Phillips, *Alabama North: African – American Migrants, Community and Working Class Activism in Cleveland, 1915-1945* (University of Illinois Press, Urbana, 1999) p. 40.

<sup>10</sup> WEB Dubois, *The Philadelphia Negro: A Social Study* (University of Pennsylvania, Philadelphia, 1899) pp. 487-488

<sup>11</sup> Mae M. Ngai, "The Architecture of Race in American Immigration Law: A Reexamination of the Immigration Act of 1924," Ian Haney Lopez ed. *Race, Law and Society* (Ashgate, Burlington, 2007) pp. 354-355.

<sup>12</sup> Leland Stanford, 8<sup>th</sup> Governor of Republican 1862-1863, Inaugural Address, January 10, 1862, California State Library, 2018, <http://governors.library.ca.gov/addresses/08-Stanford.html>

<sup>13</sup> Ranabir Samaddar, "Histories of the late nineteenth and early twentieth century immigration and our times," *Current Sociology Monograph*, 2018, Vol. 66 (2), pp. 192-208.

<sup>14</sup> Reid R.N. A Note on the Future of the Present Excluded, Partially Excluded and Tribal Areas of Assam, and Mills J.P. A Note on the Future of the Hill Tribes of Assam and the Adjoining Hills in a Self-Governing India. In: Fuji Takeshi(ed.) (2001) *Mirrors of the Colonial State – The Frontier Areas between North East India and Burma*. New Delhi: Manohar Publishers, 203-205.

<sup>15</sup> Shri Kuladhar Chaliha, in *The Constituent Assembly Debates*, vol. IX, Tuesday, 6 September 1949, pp. 1-2 of 20, <http://parliamentofindia.nic.in/debates/vol9p27a.htm>

<sup>16</sup> Shri Brajeshwar Prasad, in *The Constituent Assembly Debates*, vol. IX, Tuesday, 6 September 1949, p. 3 of 20, <http://parliamentofindia.nic.in/debates/vol9p27a.htm>

<sup>17</sup> Shri Gopinath Bordoloi, in *The Constituent Assembly Debates*, vol. IX, Tuesday, 8 September 1949, p 4 of 26, <http://parliamentofindia.nic.in/debates/vol9p27a.htm>

<sup>18</sup> Sabyasachi Basu Ray Chaudhury and Ranabir Samaddar, eds., *The Rohingya State in South Asia: People Without a State* (Routledge, Oxon and New York, 2018) p. 8. Much of what is discussed here is taken from this book.

<sup>19</sup> *Ibid* p. 12.

<sup>20</sup> Md. Razidur Rahaman, "Rohingya: The Community of No Human Rights," *The Daily Observer*, 13 April 2017, <https://observerbd.com/details.php?id=68541> accessed on 4 November 2018

---

<sup>21</sup> Ibid p. 4.

<sup>22</sup> Brenda Belak, "Double Jeopardy: Abuse of Ethnic Women's Human Rights in Burma," *Cultural Survival Quarterly* 10/31/2000, V.24; N.3, 24.

<sup>23</sup> Michael Safi, "Tied to trees and raped", *The Guardian*, 18 September 2018, <https://www.theguardian.com/world/2018/sep/18/tied-to-trees-and-raped-un-report-details-rohingya-horrors> accessed on 20 October 2018.

<sup>24</sup> One Year on, Rohingya Women and Girls Seek Safety and a Chance to heal," *United Nations Population Funds*, News Section, 24 August 2018, <https://www.unfpa.org/news/one-year-rohingya-women-and-girls-seek-safety-%E2%80%93-and-chance-heal> accessed on 20 October 2018.

<sup>25</sup> Carolyn Merchant, *The Death of Nature: Women, Ecology and the Scientific Revolution* (Perennial Library, New York, 1980) p. 155.

<sup>26</sup> Manuela Boatca and Julia Roth, "Unequal and Gendered: Notes on the Coloniality of Citizenship." *Current Sociology Monograph*, 2016, Vol. 64 (2), p 193.

<sup>27</sup> Ronnie J. Steinberg, Social Construction of Skill: Gender, Power and Comparable Worth," *Work and Occupations* 17 (4) pp. 449-482, 1990

<sup>28</sup> P. Sawchuk, "Labour Perspectives on the New Politics of Skill and Competency Formation: International Reflections." *Asian Pacific Education Review* 9 (1), 2008, p. 54.

<sup>29</sup> Katie E. Oliviero, "The Immigration State of Emergency: Racializing and Gendering National Vulnerability in the Twenty-First-Century Citizenship and Deportation Regimes," *Feminist Formations*, Vol. 25, No. 2, Summer 2013, p. 3.

<sup>30</sup> Sasanka Perera, *Stories of Survivor*, Vol. I (New Delhi: 1999).

<sup>31</sup> Darini Rajasingham and Senanayake, "Post Victimization: Cultural Transformation and Women's Empowerment in War and Displacement," Selvy Thiruchandran ed. *Women, Narration and Nation: Collective Images and Multiple Identities* (New Delhi: 1999) p. 136-137.

<sup>32</sup> Bolan Gangopadhyay, "Reintegrating the Displaced, Refracting the Domestic: A Report on the Experiences at Uday Vila," *Refugees in West Bengal: Institutional Practices and Contested Identities*, Pradip Bose, ed. (Kolkata: 2000) pp. 98-105.

<sup>33</sup> Manju Chattopadhyay, "Refugee Women in Bengal," *Refugee Watch* Nos. 10 & 11 (July 2000) pp. 45 and 47.

<sup>34</sup> Eileen Pittaway and Linda Bartolomei, "From Rhetoric to Reality: Achieving Gender Equality for Refugee Women and Girls," World Refugee Council Research Paper No. 3 – August 2018, p. 3, [https://www.cigionline.org/sites/default/files/documents/WRC%20Research%20Paper%20no.3\\_0.pdf](https://www.cigionline.org/sites/default/files/documents/WRC%20Research%20Paper%20no.3_0.pdf), accessed on 23 October 2018.

<sup>35</sup> Ishita Chakravarty and Deepita Chakravarty, "For Bed and Board Only: Children Domestic Workers in Post Partition Calcutta (1951-1981) *Modern Asian Studies* 47 (2) p. 585.

<sup>36</sup> Joshodhara Bagchi, 'Women in Calcutta: After Independence', in Sukanta Chaudhuri (ed.), *Calcutta: The Living City, II*, Oxford University Press, Calcutta, 1995, pp. 42-43; Bharati Ray, 'Women in Calcutta: The Years of Change', in Sukanta Chaudhuri (ed.), *Calcutta: The Living City, II*, Oxford University Press, Calcutta, 1995.

<sup>37</sup> Gameela Samarasinghe, "Stories of Coping," in Sasanka Perera, *Stories of Survivors: Socio-Political Contexts of Female Headed Households in Post-Terror Southern Sri Lanka (Vol. 1)* (Vikas Publishing House, New Delhi, 1999), 113.

<sup>38</sup> Comment attributed to Elaben Bhatt of SEWA in Vasudha Dhagamwar, "The Women in Gujarat's Camps – I" *The Hindu*, 22 May 2002, (online edition), 1.

<http://www.hinduonnet.com/thehindu/2002/05/22/stories/2002052200351000.htm>

<sup>39</sup> Gameela Samarasinghe, "Stories of Coping," in Sasanka Perera, *Stories of Survivors: Socio-Political Contexts of Female Headed Households in Post-Terror Southern Sri Lanka (Vol. 1)* (Vikas Publishing House, New Delhi, 1999), 118.

<sup>40</sup> Dharini Rajasingham-Senanayake, "Post Victimization: Cultural Transformation and Women's Empowerment in War and Displacement," Selvy Thiruchandran ed., *Women, Narration and Nation: Collective Images and Multiple Identities* (Vikas Publishing House, New Delhi, 1999), 143.



---

<sup>41</sup> Paula Banerjee, “Resisting Erasure: Women IDPs in South Asia,” in Paula Banerjee, Sabyasachi Basu Raychowdhury and Samir Das eds. *Internal Displacement in South Asia: The Relevance of the UN Guiding Principles* (Sage, New Delhi, 2005) pp.

<sup>42</sup> Eileen Pittaway and Linda Bartolomei, “Refugees, Race and Gender: The Multiple Discrimination Against Refugee Women,” *Refuge*, Vol. 19, No. 6, p. 23.

## CRG Series on Policies and Practices

74. Cities, Rural Migrants & the Urban Poor-III: Migration & the Urban Question in Delhi
75. Classes, People, and Populism
76. Logistical Space I: Logistics and Social Governance
77. Logistical Space II: Mobilities and Spaces
78. Logistical Space III:Hubs, Connectivity and Transit
79. Logistical Space IV: The Asam Paradigm
80. People, Politics and Protests I: Calcutta & West Bengal, 1950s - 1960s
81. People, Politics and Protests II: Bengal and Bihar
82. People, Politics and Protests III: Marxian, Literary Debates and Discourses
83. The Importance of being Siliguri, or the Lack thereof: Border-Effect and the “Untimely” City in North Bengal
84. Logistical Space V: Representations of Connectivity
85. Logistical Space VI: Logistics and the Reshaping of Global Governance
86. Logistical Space VII: Finance Capital & Infrastructure Development
87. Logistical Space VIII: Trade, Capital & Conflict
88. Logistical Space IX: Conflict & Social Governance in Northeast India
89. People, Politics and Protests IV: Occupy College Street: Notes from the Sixties
90. People, Politics and Protests V: The Creative & Cultural Dimension of the Naxalbari Movement
91. People, Politics and Protests VI: Karporri Thakur
92. People, Politics and Protests VII: The Radical Rural
93. People, Politics and Protests VIII: Left Front Government in West Bengal (1971-1982)
94. Population and Rent in *Capital*
95. *Capital*: Value & Translation
96. The Urban Turn
97. Peasants, Students, Insurgents and Popular Movements in Contemporary Assam
98. Migration and Governance I: Promises and Paradoxes of a Global Gaze

## CRG Series on Policies and Practices

- 31 Local Dynamics, Universal Context : Border Trading through Moreh, Manipur
- 32 Two Studies on Asylum Seekers and Other Immigrants in Finland
- 33 Endangered Lives on The Border: Women in the Northeast
- 34 Globalisation and Labouring Lives
- 35 Right to Information in a Globalising World
- 36 Bengal-Bangladesh Border and Women
- 37 Between Ecology and Economy : Environmental Governance in India
- 38 Incomplete Citizenship, Statelessness and Human Trafficking: A Preliminary Analysis of The Current Situation in West Bengal, India
- 39 Place of Poor in Urban Space
- 40 Law and Democratic Governance: Two Studies from Europe
- 41 Finding a Point of Return: Internally Displaced Persons in Sri Lanka
- 42 Colonialism, Resource Crisis and Forced Migration
- 43 Situating Transit Labour
- 44 Two Essays on Security Apparatus
- 45 Governing Flood, Migration and Conflict in North Bihar
- 46 A Gigantic Panopticon: Counter-Insurgency and Modes of Disciplining and Punishment in Northeast India
- 47 Public Interest Litigation in India: Implications for Law and Development
- 48 Governing Caste and Managing Conflicts-Bihar, 1990-2011
- 49 Emerging Spaces and Labour Relations in Neo-Liberal India
- 50 Peace by Governance or Governing Peace? A Case Study of the United Liberation Front of Assam (ULFA)
- 51 Women, Conflict and Governance in Nagaland
- 52 Tripura: Ethnic Conflict, Militancy & Counterinsurgency
- 53 Government of Peace
- 54 Bengal Borders and Travelling Lives
- 55 Financialisation, Labour Market Flexibility, and Global Crisis
- 56 The Chronicle of a Forgotten Movement: 1959 Food Movement Revisited
- 57 The Religious Nature of Our Political Rites
58. Social Impact of the City Planning Machinery: Case Study of Road-Widening in Bangalore
59. In Search of Space: The Scheduled Caste Movement in West Bengal after Partition
60. Stateless in Law: Two Assessments
61. Failed by Design? : The Limitations of Statebuilding
62. Contesting Ideas on Peace (A Report & Some Reflections)
63. Body/Law/Technology: The Political Implications of Society as Apparatus
64. Accumulation under Post-Colonial Capitalism-I: An Overview
65. Accumulation under Post-Colonial Capitalism-II: War, Debt, and Reconstruction of Economy
66. Accumulation under Post-Colonial Capitalism-III: The Arab Question in Post-Colonial France
67. Accumulation under Post-Colonial Capitalism-IV: Mobile Labour and the New Urban
68. West Bengal-Bangladesh Borders: Humanitarian Issues
69. Policing a Riot-torn City: Kolkata, 16-18 August 1946
70. Labour, Law and Forced Migration
71. Rohingyas in India: Birth of a Stateless Community
72. Cities, Rural Migrants & the Urban Poor-I: Migration & the Urban Question in Kolkata
73. Cities, Rural Migrants & the Urban Poor-II: Migration & the Urban Question in Mumbai



## CRG Series on Policies and Practices

- 1 People on the Move: How Governments Manage Moving Populations
- 2 Resources for Autonomy - Financing the Local Bodies
- 3 Peace Accords as the Basis of Autonomy
- 4 Debates Over Women's Autonomy
- 5 Unequal Communication: Health and Disasters As Issues of Public Sphere
- 6 Globalisation, State Policies And Sustainability of Rights
- 7 Autonomies in the North and the North East: More Freedom or the Politics of Frontier Management?
- 8 Examining Autonomy : The 73rd Constitutional Amendment in Assam
- 9 Democracy, Autonomy and the Community Media
- 10 Women and Forced Migration
- 11 Flags and Rights
- 12 A Status Report on Displacement in Assam and Manipur
- 13 Weapons of the Weak: Field Studies on Claims to Social Justice in Bihar & Orissa
- 14 Towards a New Consideration: Justice for the Minorities
- 15 Conflict, War & Displacement
- 16 The Draft National Rehabilitation Policy: A Critique
- 17 Limits of the Humanitarian: Studies in Situations of Forced Migration
- 18 Prescribed, Tolerated, and Forbidden Forms of Claim Making
- 19 Three Studies on Law and The Shifting Spaces of Justice.
- 20 Primitive Accumulation and Some Aspects of Work and Life in India in The Early Part of The Twenty First Century.
- 21 Citizens, Non-Citizens, and The Stories of Camps
- 22 Tales of Two Cities
- 23 Ways of Power, Minorities, and Knowledge on Minorities: An Assessment of Research Policies and Practices.
- 24 Whither Right to Food? Rights Institutions and Hungry Labour in Tea Plantations of North Bengal
- 25 Hunger, Food Scarcity, & Popular Protests in West Bengal
- 26 Cyclone Aila & the Sundarbans: An Enquiry into the Disaster and Politics of Aid and Relief
- 27 View from India: Media & Minorities in Europe
- 28 Protecting the Rights of the Tsunami Victims: The Sri Lanka Experience
- 29 Nation Building and Minority Alienation in India
- 30 Environment and Migration Purulia, West Bengal

---

POLICIES AND PRACTICES is the research paper series brought out by the Mahanirban Calcutta Research Group (CRG). Writings under this series can be referred to and used for public educational purposes with due acknowledgment.

ISSN 2348-0297