

# **REFUGEE WATCH**

**A South Asian Journal on Forced Migration**

**Migrants, Communities and Political Ecology**

**51 & 52**

**Mahanirban Calcutta Research Group**  
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# **Rohingyas: The Emergence of a Stateless Population**

By

**Ranabir Samaddar \***  
&  
**Sabyasachi Basu Roy Chaudhury †**

## **History of a Situation**

In a fascinating essay on what the East India Company called in the late eighteenth century as “Arakanese refugees” who were settled by the Company in Chittagong-Western Burma area, Anandaroop Sen brings to light the nature of population flows in the Bengal-Burma region two centuries back, a picture that is not much different at least in some ways from what obtains today in this region.<sup>1</sup> Sen focused on Company’s select plans of settlement whose logic was a peculiar mix of military and economic considerations of viewing space from the point of ideas of usefulness and peculiarities of “refugee” labour for military purpose. In this way Sen brings to attention the always present particular historical rendition of the meanings associated with the term “refugee”, which combines the notions of displaced, dispossessed and the productive within the same analytic field. In arguing for what refugee labour implied in a land and time marked by intense war making exercises, Sen has recalled the early travels of Francis Buchanan in the then lands of the Provinces of Chittagong and Tippera, and the destitution of different sections of people including the Arakanese lodged in that region. Sen explicitly invokes the situation of the Rohingyas and concludes his essay with asking,

There is something else I want to gesture at here... It has to do with the word refugee. The term has acquired particular resonances in a politics of modernity...what happens to the figure when it is located in the early etchings of colonial empire. Deracinated from the temporal provenance of

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the twentieth century, how does one think of this category? What did it mean to be a refugee in Company occupied Chittagong? ...Perhaps recognizing such questions will contribute to an understanding of how the category has historically been worked out. Considering the growing numbers of Rohingya Muslims shuttling the waters of Bay of Bengal as refugees, the significance of tracing these older routes of dispossession have only become sharper.<sup>2</sup>

Today the Rohingyas not only bring to mind the continuities of the past and the strange ways the term “refugee” was invoked in earlier ages; they also tell us of newer aspects of a situation of displacement and forced migration. If refugees were earlier a part of state making projects— colonial or nationalist—today refugees in their condition of protracted displacement point to the possibilities of statelessness.

Population movements, in particular forced population movements, are seldom purely state to state business, they often have regional dimensions. Yet in discussions on statelessness the regional dimension of the problem, and in this case of the Rohingya refugees, is often ignored. Commentators have noted the fluctuating attitudes and policies of great powers towards the policies of suppression of the Rohingyas by the State of Myanmar, but not its regional dimension. This dimension of the problem was ignored even in analyses of the Bay of Bengal crisis of 2015 involving the boatpeople: the Rohingyas and Bangladeshis. In recent years as Rohingyas have fled in large numbers to neighbouring Bangladesh, India, Thailand, and

Malaysia, and some even tried to reach Australia, the regional dimension of the issue of statelessness has become clearer. Yet, regional and bilateral initiatives often fail. For instance, in the wake of the growing international focus on the Rohingya issue the initiative of the Thai Government in May 2016 for a regional approach to address the migrant crisis did not produce much result. This had followed another failed regional initiative, taken in 2002, known as the Bali Process on “People Smuggling, Trafficking in Persons and Related Transnational Crime”. Several countries wanted the root causes of the flow of migrants to be taken into account as part of the initiative. However, the Myanmar Government threatened to boycott the meeting and accused others of being soft on human trafficking.

Meanwhile reports, commentaries, essays and articles on the precarious condition of the Rohingya refugees and asylum-seekers tell us of the growing statelessness of people in protracted condition of displacement. As nationality issues get more ethnicised and securitised, we shall witness more the phenomenon of growing statelessness, *de jure*, but more *de facto*. One may ask: When will international law recognise the crisis of *de facto* statelessness? When will the states move beyond humanitarianism and attempt a regional or, at least a series of bilateral solutions? Indeed one may suspect, is the so-called global regime of protection capable of addressing the issue of *de facto* statelessness?<sup>3</sup> With the Convention on Statelessness (1954) framed in the context of Europe and World War II, the question of responsibility for production of statelessness often reflected in the form of growing *de facto* statelessness is stark today in as much as the ineffectiveness of the global



protection apparatus (including Convention on the Reduction of Statelessness, 1961).

But let us not anticipate the regional aspect of the issue before we get a sense of how the Rohingyas appear in the history of our time as almost permanent aliens in Myanmar.

Apparently, the word Rohingya is derived from *Robang*, the ancient name for Arakan. Historically, Rohingyas belong to a community that developed from many stocks of people, including Myanmarese, Arabs, Moors, Persians, Bengalis and others, all adhering to Islam. Though the naming of *Rohingya* seems to have come about only recently, around the beginning of 1950s, the Muslims in Arakan have a long history. However, since Arakan was occupied by the British after the first Anglo-Burmese War (1824-26), the confrontation between the Muslims residing in the north-western part of Arakan and the Buddhists as the majority in central and southern Arakan became tense, as large-scale Indian immigration was encouraged by the British. The defeat at the hands of the British forced Burma to sign the Treaty of Yandabo in 1826 which resulted in the absorption of Arakan in the British Empire. Eventually, Burma became a province of British India, and the easy border between Bengal and Arakan facilitated a variety of cross-border contacts.<sup>4</sup> Over time, numerous Bengali Muslims, some of whom were *Chittagongs*,<sup>5</sup> moved into northern Arakan and began to merge with the Rohingya community. In this way, the distinction between these ethnic groups was blurred following the ease of cross-border and inter-community interactions. The immigrants coming into the Arakan included many Muslims from Chittagong. The confrontation came to a head during the Japanese occupation period (1942-45), when Japan armed the Buddhist Arakanese to fight against the British and the British used Muslim forces for a counter-attack. The situation did not change much after the independence of Burma in 1948.

Arakan, the westernmost state of Myanmar, is situated on the western coast of the country, bordered by Chin State to the north; Magway Region, Bago Region, and Ayewardy Region to the east; the Bay of Bengal to the west; and the Chittagong Division of Bangladesh to the northwest. It is now officially known as the Rakhine State. It has four districts, seventeen townships and 3,871 villages, according to a government report of Myanmar, published in 2001.<sup>6</sup> The province, with an area of more than 36,000 square km, is a narrow strip of coastal region at the crossroads of rivers, mountains and valleys. At the same time, located in the tri-junction of Myanmar, India and Bangladesh, it has been for long on the frontiers between the Islamic and Buddhist cultures of Asia. It has a huge area of swampy plains and estuaries along the coast, bordering a long range of deep mountains to the east. These mountains are perceived to have kept Rakhine, or Arakan of the past, comparatively isolated from the affairs of the central region of the Republic of the Union of Myanmar. Even today, despite its maritime potential and easy access in the north to Bangladesh, Rakhine remains connected to central Burma only by a handful of barely motorable roads. Therefore, till recently,

Rakhine remained a forgotten, remote place within the country—but now with the exodus, not any more.

Of late, China has been involved in the development of infrastructural facilities in Rakhine State. It has invested its resources for this purpose in Kyaukphyu, where the CITIC Group Corporation Ltd. (China International Trust Investment Corporation) of China, a state-owned investment company, won a contract to develop the multi-billion Kyaukphyu Special Economic Zone (SEZ) that involves building a deep-sea port and an industrial park. In November 2010, the China Development Bank and Myanmar Foreign Investment Bank signed a \$2.4 billion loan deal to construct the 1,060 km-long pipeline from Kyaukphyu to Kunming in the Yunnan province of China.<sup>7</sup> On the other hand, in April 2008, India signed the Framework Agreement for facilitating the Kaladan Multi-Modal Transit Transport Project with Myanmar as a major part of its “Look East Policy”. This project would connect Kolkata to Sittwe port in Myanmar, via Bay of Bengal, then Sittwe port to the inland water trans-shipment terminal at Paletwa town in Myanmar through Kaladan river, connect Paletwa river terminal to the India-Myanmar border at Zorinpui at the southern tip of Mizoram in India's northeast, and finally construct the 100 km-long road from Zorinpui to the Aizawl-Saiha Highway (the Indian National Highway 54 at Lawngtlai). NH 54 is part of the larger East-West corridor connecting the rest of India with India's northeast. Therefore, Sittwe, the capital of the Rakhaine State of Myanmar has also become a critical point of India's connectivity policy.

A number of minority ethnic groups in course of time settled in Rakhine (then Arakan), including Chin, Mro and Khami (mainly Christians now), Kamans in the coastal areas (largely converted to Islam), in addition to the Buddhist majority groups, and other Muslims. The people of Rakhine have claimed political autonomy from Myanmar. As a result, there is a history of long-drawn conflict between Rakhine leaders and Burman rulers or governments in Mandalay, Rangoon (now Yangon) and central Burma. This situation has continued till today. However, the cultural and ethnic dissimilarities between the Buddhists and Muslims or Rohingyas and other Rakhines as clearly perceived today were not always quite as clear in the past, and the fact remains that Muslims and Buddhists in the past lived on both sides of the Naf river that marks the present border with Bangladesh. Also, the Rakhines used to practise *Theravada* or *Hinayana* Buddhism, the influence of which is generally dated back to the eleventh century AD. Subsequently, the Rakhines started challenging the supremacy of the Burman kings, and a number of powerful Buddhist rulers arose in Arakan, with proud cultural and political traditions similar to the Burmans, Shans and Mons in the east.<sup>8</sup>

When the first Census of Burma was taken in August 1872, British Burma consisted of the three provinces of Arakan, Pegu and Tenasserim. The Muslims were categorised either as Burman Muslims or Indian Muslims. Two-thirds of the total number of Muslims recorded in the territories of British Burma at that time, around 64,000 people, lived in the Arakan.<sup>9</sup> The Census of 1891 included most of the recognised territory of Myanmar today. It recorded Muslims under the categories used for the broader India census.

Thus, the Muslim people were divided as Sheikhs, Sayyids, Moghuls, Pathans, and other groups, including Arakanis, Shan Muslims, Turks, Arabs and others. Many Arakan Muslims were offspring of intermarriages between the Indian Muslims and Burman Buddhists, and were registered as Sheikhs in the census. By 1921, there were over 500,000 Muslims in a population of over thirteen million.<sup>10</sup> Muslims of Indian origin came from several different provinces of India.

Henceforth, there would be both regular mingling of different ethnic and religious communities as well as conflicts, especially around the Naf river border. The Rakhines had earned notoriety for coastal raids into Bengal, and therefore they received the epithet of *Mogs* or bandits. Accordingly, Arakan was popularly referred to as *Moger muluk* (in Bengali) or the Land of Mogs. Cox's Bazaar also turned into a Rakhine majority town till the withdrawal of the British Indian administration in 1947.<sup>11</sup> During British rule, labourers, merchants or administrators migrated to Burma from outside. They included Hindus and Muslims, Nepalese and Tamils. Similarly, many migrated from Chittagong to the Arakan towns of Maungdaw and Sittwe or Akyab. Some of them were seasonal workers to help local rich landowners during harvest time. However, it was the activities of Chettiyar moneylenders from southern India, which caused the greatest resentment amongst impoverished rural farmers in central and lower Burma. This, in turn, fuelled the growing tide of Burmese nationalism, and there were violent anti-Indian communal riots in 1930-31 and again in 1938 in which several hundred Indians were killed. As a consequence, there was a growing tendency of clubbing the Indian Muslims and the indigenous Muslims of Arakan together. Those who know of the Indian Northeast will find a parallel with Assam where Muslims from East Bengal and later Bangladesh and the indigenous Muslims of Assam were clubbed together. Also history foretold that this distinction could be not be carried beyond a point.

Against this backdrop, during World War II, a huge number of Indians, including Muslims, fled Burma. Some followed the departing British administrators, but others were brutally chased out by the nationalists of Aung San's Burma Independence Army. Thousands also died of starvation, disease, and in military attacks, accounting for one of the darkest episodes in modern Burmese history. In any case, the simmering discontent continued in Arakan even after World War II and after the departure of the British rulers from the region. A number of different armed and communist groups of Rakhine, spearheaded by a former Buddhist monk, U Seinda, fought against both the British and later the first post-independence government of U Nu. At the same time, the Muslims of Arakan started demanding autonomy for the Muslim-majority Mayu Division adjoining the Naf river border.

However after Burma's independence in 1948, the political demands of both Muslim and Buddhist communities in Arakan were entirely overlooked by the central government in Rangoon. Arakan was not even granted provincial autonomy. Under the 1974 constitution, Arakan was granted statehood, and was given the official title of the Rakhine State. The name of the state capital Akyab was changed to Sittwe. In 1978, a military

operation codenamed “Ye The Ha” was launched in the mountains of north Arakan around the Sittwe plains together with an unusual census operation, known as *Nagamin* or King Dragon, to check identity papers in the border region for the first time. The census operation generated controversies, amidst widespread reports of army brutality, including rape, murder and the destruction of mosques. As a result, about 200,000 Muslims took refuge elsewhere. The state-controlled media of Burma blamed the “armed bands of Bengalis” or “Muslim extremists” for attacking indigenous Buddhist villages. Moreover, it was also argued by the military junta that many of those who fled in 1978 were in fact illegal Bengali immigrants, who had entered Burma as part of a general expansion of the Bengali population in this region of Asia. The counter-argument was that many displaced persons had either never had national registration cards, or they had been confiscated by the immigration authorities during the 1978 operation. The discrimination became more acute after a tough Citizenship Act was passed by the Ne Win government in 1982. Under this act, three categories of citizens—national, associate, and naturalised—were created. Full citizenship in Burma was only for national ethnic groups, such as the Burmans, or those who could prove their ancestry in Burma before the first Anglo-Burmese war.

From the middle of 1991, several new regiments as well as a local border police militia known as the Na Sa Ka were deployed in the border region. On the other hand, local Rakhine, Mro, and Chin populations began to complain of forced relocations and military harassment. Subsequently, over 250,000 Muslim refugees fled to the Cox’s Bazaar area of Bangladesh. However, the state claimed that the Rohingya problem was no more than a problem of unregistered illegal immigrants. Rohingyas became a stateless population in 1982 with the revised Myanmar Citizenship Law that excluded them from the list of 135 national ethnic groups. The category of *non-state persons* had come into existence with the concept of citizenship, which on the one hand indicated certain rights, and, on the other hand, increased the miseries for those deprived of citizenship rights.

History thus ensured that Rohingyas would become stateless one day, and it should not be surprising given the nature of modern state formation, particularly in postcolonial partitioned time. The only thing to note is the discrimination and repression increased in phases, and inability of the international system of protection was accordingly increasingly exposed.

### **Discrimination, Statelessness, and Responsibility**

Population groups can become stateless for a variety of reasons, including inequitable laws (such as marriage laws), transfers of territory between countries, flawed or discriminatory administrative practices, lack of birth registration, and withdrawal of citizenship rights. Conservative estimates of the current number of stateless persons in the world range from about 11 to 15 million who live without a nationality, in a legal limbo.

One of the main reasons why people are denied or deprived of nationality, and thus rendered stateless, is racial or ethnic discrimination. It

happened in Mauritania for blacks (1989), in Estonia for ethnic Russians (after 1991), many ex-Yugoslavs (after the Balkan War in the 1990s), South Bhutanese in Bhutan (in late eighties and nineties of the last century), and now for Rohingyas.<sup>12</sup> In Myanmar ethnic and national identities have been effectively merged. Words such as Burmese, Burman and Buddhist have been used interchangeably. On the other hand, for decades, the Muslims in Arakan, and particularly the Rohingyas, have been subjected to violence, human rights abuses, and forced resettlement both within the country and across borders, which has created thousands of refugees and internally displaced persons (IDPs), and led to a protracted humanitarian crisis. Expulsions of groups of Rohingyas became pronounced in this century. Myanmar's military defended its crackdown on the Rohingya Muslim minority in early March 2017 as a lawful counterinsurgency operation, adding that it was necessary to defend the country.<sup>13</sup> Referring to the reports in the media on abuses such as burning of houses of the Rohingyas, General Mya Tun Oo, Chief of the General Staff of Myanmar army said that he was sad with the reckless accusations coupled with ignoring the good things the government and the military were doing for them.<sup>14</sup> Meanwhile, from late 2016 thousands of Rohingyas again began seeking refuge in Bangladesh, as Myanmar's forces launched a crackdown on the million-strong Muslim minority. Testimonies from refugees, satellite images compiled by human rights groups, and leaked photos and videos from inside the Rakhine State of Myanmar became available.<sup>15</sup> The latest troubles began in early October, when police said three border guard posts had been attacked by Islamist militants. Interestingly, Aung Sang Suu Kyi, the symbol of the democratic upsurge in Myanmar and a Nobel Peace Prize winner, who came to power in the country after the polls in November 2015, does not show any sign of willingness to address the Rohingya issue.

Under the Constitution of Burma at the time of independence, the Rohingyas had a good claim to citizenship; yet today they have become "resident foreigners", even though their families have been there for generations. The conferring of citizenship is now a matter of state privilege. And today, with the 1982 law (unlike the preceding 1948 Citizenship Act) essentially based on the principle of *jus sanguinis*, very few Rohingyas have a chance of fulfilling the requirements of citizenship. In 1989, colour-coded citizens scrutiny cards (CRCs) were introduced: pink cards for full citizens, blue for associate citizens, and green for naturalized citizens. The Rohingyas were not issued any cards. In 1995, in response to UNHCR's intensive advocacy efforts to document the Rohingyas, the Burmese authorities started issuing them temporary registration cards (TRCs), a white card, pursuant to the 1949 Residents of Burma Registration Act. One has to note, the TRC does not mention the bearer's place of birth and cannot be used to claim citizenship.

In 2014, the UNHCR launched a campaign to end statelessness by 2024. Most situations of statelessness were found to be direct consequence of discrimination based on ethnicity, religion or gender. The largest stateless population of the world is in Myanmar where more than one million Rohingyas have been refused nationality. Statelessness affects the enjoyment

of all the rights which most of us take for granted, for instance the right to work, the right to vote, the right to welfare benefits and a child's right to education. Statelessness exacerbates poverty, creates social tensions, breaks up families and can even fuel conflict. Stateless people are not recognised as nationals by any country and deprived of the rights most people take for granted. They often live on the margins of society where they are vulnerable to exploitation. It prevents people from moving, and increases their chances of arbitrary arrest or detention with no adequate remedies. International law provides a framework for action in respect of the stateless. Despite the existence of two significant legal documents, viz. the 1954 UN Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, the situation remains grim. Article 1 of the 1954 UN Convention relating to the Status of Stateless Persons, defines a stateless person as "a person who is not considered as a national by any State under the operation of its law." The 1954 Convention establishes minimum guarantees in areas such as education, health care, employment and identity as well as travel documents. While it does not oblige states to provide nationality for stateless persons in its territory, it asks them to facilitate naturalization. The 1961 Convention sets out important safeguards that can be incorporated into nationality laws to prevent statelessness, for example, in relation to acquisition of a nationality at birth or loss of nationality on marriage, or as a result of prolonged residence abroad. In addition, international human rights law plays a significant and complementary role. Its guarantees apply to all persons, with very few provisions restricted to nationals alone. Key human rights standards include the obligation to ensure birth registration, the prohibition on arbitrary deprivation of nationality, guarantees of equal treatment for women in relation to nationality laws and protection against arbitrary detention. Yet as said, despite these and other global initiatives new risks of statelessness have emerged. The level of ratification of the UN statelessness conventions is low. The Rohingyas are continuously driven out of Myanmar; they were at times chased out of Bangladesh; some of them who reached India in phases are now on the verge of deportation. The Ministry of Home Affairs, Government of India, tells them that India is not their country, and they would be identified and sent back. Where will they go? Most of them are ignorant of laws. Countries are kicking them around. This is the position of "rightlessness" of which Hannah Arendt talked.<sup>16</sup>

As one South Asian expert has pointed out, statelessness in fact points to a major weakness in international law on refugees. While massive efforts were made by the UNHCR and the global humanitarian community to help and assist the victims of forced eviction through relief, rehabilitation, and integration in host country and third-country resettlement, the problem did not go away. It increased. A major part became stateless (of nearly 43 million refugees, about 12 million were stateless). As they had no chance of going back, after protracted period of displacement they became stateless. But perhaps equally significantly, people did not have to cross the borders in order to become refugees. Losing their citizenship status or never enjoying it many became refugees even when they had not crossed international borders. They

became “refugees” in their homes, stripped of their citizenship and rendered “stateless”.<sup>17</sup> In fact, statelessness has emerged as a serious issue in the region of South and South East Asia. Not just Myanmar, the citizenship laws of the postcolonial states of India, Pakistan and Sri Lanka, moving from *jus soli* to *jus sanguinis*, are highly influenced by the self-perception of the “majority” who claimed to constitute the “nation”. Ethnic bias, cultural, linguistic, religious prejudices, gender discrimination and political concerns of the emerging ruling elite shaped the policy for granting as well as denying citizenship. On the other hand the international community’s engagement with the problem of statelessness is rather recent. The major weakness of international protection mechanism for the stateless persons is non-applicability of international law within the sovereign jurisdiction of states where the majority of stateless persons live. The states control their borders, frame the immigration policies and decide who should be allowed to enter its territory and who should be rejected. The present immigration laws, policies and practices of most states do not make a distinction between the stateless persons and other migrants.<sup>18</sup> We have here clearly a question of responsibility: that of the state that forces displacement, the state that has to give shelter, the region (think of various regional initiatives and solutions), and that of the most powerful, that is the institutions in charge of global governance. Also, the failure of the international legal arrangements is more in the case of *de facto* statelessness.

This is clear as Australia continues to refuse supporting any international, and this case regional initiative, to protect the Rohingyas—particularly Rohingyas at sea—who reach various neighbouring countries of Southeast Asia. As Rohingyas fled in large numbers to neighbouring Bangladesh, India, Thailand, and Malaysia, and some even tried to reach Australia, the regional dimension of the issue of statelessness became clearer. Perhaps in regional policies for the protection of the stateless population groups part of the solution lies. In case of several stateless groups who were rehabilitated and resettled in India (or Sri Lanka in case of Tamil plantation workers or protection of Afghan escapees in India, Pakistan, and Iran) a bilateral framework and a spirit of regional understanding worked. So, why should this not be the case for Rohingyas, and why should not states of South and Southeast Asia along with other Asia Pacific countries deliberate on the issue of the rights of the Rohingyas, and see how the issue of statelessness can be resolved? Of course involving Myanmar will be important and essential in this exercise. We may recall how the issue of Balkan refugees and ex-Yugoslav stateless groups were resolved in the framework of Europe. Yet, regional initiatives often fail. For instance, in the wake of the growing international focus on the Rohingya issue, the Royal Thai Government called for a regional meeting to address the migrant crisis on 29 May 2016 involving 15 nations. These included Bangladesh, Myanmar, Indonesia, Malaysia, host Thailand as well as Australia, and the United States. Several countries wanted the root causes of the flow of migrants to be discussed in the meeting. However, the Myanmar Government said that it would boycott the meeting and accused others of being soft on human trafficking. This blame-game did not help. As the current migrant crisis came under further regional and international

scrutiny, Myanmar was asked to recognise that its transition to democracy would be judged by how it treated its minority communities. In this connection it is important to note that the Indian Navy was involved in several relief and rescue operations in the Bay of Bengal in the past. The current humanitarian crisis in the Bay of Bengal requires from India a more pro-active policy in the sea to rescue the boat people.

Before this initiative was taken, there was another regional initiative, taken in 2002, known as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. It attempted to raise regional awareness of the consequences of the smuggling of people, trafficking in persons and related transnational crimes. Accordingly, it developed and implemented strategies and practical cooperation in response. More than forty-five members, including the UNHCR, the International Organization for Migration (IOM) and the United Nations Office of Drugs and Crime (UNODC), as well as a number of observer countries and international agencies participated in this voluntary forum.<sup>19</sup> Later, an ad hoc group was set up to develop and pursue practical measures to inform future regional cooperation on people smuggling, trafficking in persons and the irregular movement of people.<sup>20</sup>

In 2009, some Southeast Asian countries agreed to use the Bali Process to solve the Rohingya issue. Earlier, Thailand's Prime Minister had said in February 2008 that the issue of Rohingyas needed greater discussion in a regional forum. He told reporters in Jakarta during his visit to Indonesia then that the regional governments would take up the issue of the Rohingyas at the Bali Process.<sup>21</sup> However, during the 2014 ASEAN Summit, in Naypyidaw, the first one to be held in the new capital of Myanmar, the plight of the Rohingya Muslims was left out of the agenda. The Government of Myanmar's decision in March 2014 to expel humanitarian groups and prevent them from providing health care and aid increased the number of the Rohingyas moving to other countries.

When the rickety boats carrying Rohingyas, with depleting food and drinking water, hit the newspaper headlines in May 2015, at least Malaysia and Indonesia responded to international pressure, and said they would no longer turn away migrant boats, offering instead to take in a wave of asylum-seekers, provided they could be resettled or repatriated within a year. In contrast, the Australian Prime Minister Tony Abbott said that Australia wanted other countries to help with resettlement, but those seeking a better life in Australia needed only to come through the "front door". He said that, while Australia stood ready to assist in other ways, there was no way any of those fleeing would be allowed to settle in Australia. "Nope, nope, nope," he said, shaking his head.<sup>22</sup> He went on to say, "If we do the slightest thing to encourage people to get on boats, this problem will get worse, not better," and "Australia will do absolutely nothing that gives any encouragement to anyone to think that they can get on a boat, that they can work with people-smugglers to start a new life." Without batting an eyelid, Abbott further said, "Our role is to make it absolutely crystal clear that if you get on a leaky boat, you aren't going to get what you want," although Indonesia's foreign ministry spokesman



Arrmantha Nasir said that Australia was obliged to help as a signatory to the United Nations Refugee Convention. According to Abbott, “This is quite properly a regional responsibility and the countries that will have to take the bulk of the responsibility are obviously the countries which are closest to the problem.” In his opinion, “Australia can show leadership and compassion, just as it did after the Tiananmen Square massacre and the Vietnam War, by authorising special intake of refugees fleeing war and persecution.”<sup>23</sup> We all know that this meant, in practice, basically offshore internment, known infamously as the “Pacific solution”.<sup>24</sup>

On the other hand, Thailand, for instance, was quick to recognise the regional imperative in finding a solution to the Rohingya issue. In a meeting held as part of the Bali Process (24-25 February 2009) Thailand noted the entry of Rohingyas as illegal migrants. The Thai representative noted that over 5,000 boat arrivals were recorded in 2008, and the potential migrant stock would be of several hundreds of thousands. With a burden of 3 million illegal migrants, Thailand could not be either a country of transit or country of destination. Hence it pressed for a regional approach. It was “a collective problem that the countries concerned in the region—countries of origin, transit and destination—have to collectively address, and in a comprehensive manner. We have proposed to the other affected countries (Bangladesh, India, Indonesia, Malaysia and Myanmar) to join hands with Thailand in constituting a contact group to coordinate and cooperate on this matter.” Thailand also advocated several overlapping approaches, and declared its readiness to facilitate the work of a small group of relevant stakeholders towards a solution. It also declared that it was seeking cooperation of the United Nations High Commissioner<sup>v</sup> for Refugees (UNHCR) and the International Organization for Migration (IOM).<sup>25</sup> In the same meeting at Brisbane the UNHCR representative added, “The situation of the Rohingya, with its refugee protection and economic dimensions, therefore presents, in critical form, a case study of the broader problem of onward movement affecting the region.... The issue also needs a regional approach, which addresses the entire range of push and pull factors and the full cycle of displacement, which includes countries of origin, transit and destination.”<sup>26</sup> The presence of Rohingyas as undocumented labour migrants was also noted by the Regional Support Office of the Bali Process in a paper on “Pathways to Employment: Expanding Legal and Legitimate Labour Market Opportunities for Refugees”.<sup>27</sup>

The Andaman Sea refugee crisis in 2015-16 finally left no one in doubt that the Rohingya crisis called for a regional approach. Sea and the oceans are always regional. Indeed they make regions. That the Andaman Sea crisis was therefore seen as a call to the region did not surprise those working for human rights and humanitarian protection. Yet little advance has been made on the issue of finding a regional solution to the Rohingya issue. The Indian and Bangladesh governments have done least in terms of forging a regional solution and this when we know that in 2014-15 about 25,000 fled Myanmar and Bangladesh by boat, and around 8,000 were stranded at sea. Around 400 possibly died. Many, fleeing, paid great deal of money for their

passage. On 1 May 2015, a mass grave containing the remains of more than 30 bodies was discovered in the Sadao district of Thailand, a few hundred metres from the Malaysia border. On 5 May 2015 three Thai officials and a Myanmar national were arrested in Thailand for suspected involvement in human trafficking. Thereafter, boats began to be intercepted. Thai, Malaysian and Indonesian authorities reportedly intercepted boats of asylum seekers and pushed them back out to sea. Consequently boatloads of people were abandoned on the water. An estimated number of 6000 Rohingyas and Bengalis were stranded by 12 May without food or water. Some were rescued by Indonesian and Malaysian local officials and fishermen, or they swam to shore. On 26 May, Malaysian policemen found the remains of approximately 140 bodies, perhaps of migrants from Myanmar and Bangladesh, in abandoned jungle camps near the Thai border. In short, the regional response was sorely inadequate. Policing was thought to be the main way to tackle the crisis.<sup>28</sup> As in the Mediterranean, this aggravated the crisis. The attention of the international community remained on the Mediterranean boat crisis, and by and large the Bay of Bengal and the Indian Ocean crisis was ignored. In the din of maritime security human rights of the migrants at sea were drowned. The sovereignty games continued around the politics of boat migration. Yet the persistent attempts by the migrants to repeatedly take to the seas challenged the anonymity of death in the sea.<sup>29</sup>

In this situation, one-off meetings became the norm for managing mass displacement events on the Andaman Sea. Regional institutions and processes—ASEAN, the Bali Process and the Jakarta Declaration—were largely muted during the crisis. Most crucially the Bali Process did not have functioning mechanisms for officials and functionaries across the region to respond. Regional leaders made the right noises, but took little concrete steps. Amidst all these came the “New York Moment” in 2016 when in September the then US President Barrack Obama and UN Secretary-General Ban Ki-moon spoke in high level discussions in New York on refugees and migrants.<sup>30</sup> On 19 September 2016 at the UN headquarter in New York the UN Summit for Refugees and Migrants was held. That was perhaps the last moment of attention.

Why do not all these happen? This is where we must recognise the unequal nature of power, influence, and responsibility in the global protection regime. In the light of this report and on the basis of the experiences of the Rohingya exodus from Myanmar, reflective of worldwide post-colonial experiences, we have to ask: What is the nature of this *power, influence, and responsibility*? To ask this is important because through all these years following the convention on statelessness, the global protection regime has never questioned the dissociation between power and responsibility. This has been the case primarily for two reasons: first, in the age of majoritarian democracy, responsibility is said to lie with the minority groups to conduct themselves *responsibly* to be acceptable to the state; and second, international responsibility is formally exercised by nation-states, while power is vested with transnational agencies and empires which will exercise power without responsibility. In this situation of graded responsibility and its hierarchical history, it is important to

ask: What is the nature of power and responsibility at the margins, rather than power and influence at the centre, which is called by that euphemism, *protection regime*?

### **Rohingyas in India**

How many Rohingyas are in India? It is quite difficult to say with certainty, given the large number of unregistered refugees and stateless persons in the Indian sea of humanity. According to a recent and “official” data publicised in July 2015, there are nearly 6,684 families of Rohingyas settled in Jammu and Kashmir, while 1,755 are reported to be in Andhra Pradesh. The number of families settled in different states of India is 10,565, spread all over the country as follows: Jammu and Kashmir 6,684, Andhra Pradesh 1,755, Delhi 760, Haryana 677, West Bengal 361, Rajasthan 162, Uttar Pradesh 111, Punjab 50, Maharashtra 12, Andaman and Nicobar Islands 3.<sup>31</sup> The former Chief Minister of Jammu and Kashmir Mufti Mohammad Sayeed said that over 5,000 Rohingya refugees were living in many settlement colonies in Jammu. Out of the total Rohingya refugees living in Jammu province, 4,912 members are having United Nations High Commissioner for Refugees (UNHCR) cards and 186 members are without the cards, said Sayeed.<sup>32</sup> According to Mohammad Rafik, a Rohingya refugee in Jammu, “We have been forced to be scrap dealers as there are no employment avenues available. A large number of refugees here are unregistered as there is a long process to get the name registered with UNHCR who provide a registration card.”<sup>33</sup> Children of these refugee families support their families by collecting and selling recyclable materials, and some women work in walnut factories up to twelve hours a day, cracking shells and removing nuts.<sup>34</sup> In any case if one goes by various available figures the number of Rohingyas in India could be somewhere in between forty to fifty thousand, assuming that each family on an average has four or five members. However, if we take into account the un-enumerated refugees and asylum-seekers (on the basis of estimates of other unregistered groups of foreigners compared to the registered groups of those foreigners), the total number can go up to one hundred thousand or more. As the Jammu experience shows, Rohingyas have become the labouring subjects of what we may call fringe economy or refugee economy, a part of a larger informal economy.

The work of a group of researchers brought out, possibly for the first time, various dimensions of stateless Rohingyas in India. In this context, Sucharita Sengupta traced in that work the migration of Rohingyas as asylum seekers from Bangladesh to mainly Southeast Asian countries in boats and brought to light the evolution of Rohingyas as the new “boat people” of Asia and the world. Another researcher, Sahana Basavpatna looked at the legal dimensions of Rohingya refugees’ lives in India, variously represented as foreigner, Muslim, stateless, suspected Bangladeshi national, illiterate, impoverished, with a large number of them arrested and booked for violation of the Foreigners Act, 1946, and the Passports (Entry into India) Act, 1929, among other legislations. She also reported how a majority lived in slums or

unauthorised colonies. As she reported further, unlike other mandate refugees, Rohingyas are spoken of in the same breath as the Bangladeshi nationals. Their proximity or collaboration with some Muslim organisations has provided them with some relief and protection, but not the legal credibility needed by a community seeking asylum from persecution. From her extensive report, it is clear that more attention has to be given to developments in refugee law, particularly in Asia, one in which a state-led status determination mechanism appears implicit. Two other researchers, Priyanka Mathur Velath and Kriti Chopra documented Rohingyas in Hyderabad, reinforcing the findings of Sahana Basavpatna. In a deeply insightful research Suchismita Majumder focused on Rohingyas in jails, detained in the Correctional Homes of West Bengal, India. Through testimonies, narratives, and analysis of the data gathered from February 2015 to July 2015, she tried to understand the lives of the Rohingyas: how they lived amidst persecution; what they did; how they migrated and what they needed at present to have lives of human beings. Media representations of Rohingyas, as another researcher Madhura Chakrabarty pointed out, have impacted on popular discourse on asylum, refugees, and immigrants in Bangladesh and India, and in this way, Influence the response of the states towards various stateless population groups. The research also demonstrated through the analyses by Charlotte-Anne Malischewski and Shuvro Prosun Sarker how Indian laws have remained inadequate to address the issue of statelessness, particularly *de facto* statelessness.

By way of concluding let us reflect on two things coming out of this report: (a) the slippage of identities of Rohingyas and Bangladeshis; and (b) the emergence of the stateless in the form of boatpeople. The two are related. In the boat who is a Bangladeshi and who is a Rohingya?

As the group of researchers found in their study, Rohingyas took help of Bangladeshis and posed as Bangladeshis to escape to the high seas from their camps in Bangladesh, and get work after they had landed elsewhere. Bangladeshis in search of work mixed with Rohingyas to get onto the boats with the help of middlemen and escape joblessness and poverty. The process of taking Bangladeshi nationals along with the Rohingyas in boats has been going on for a little more than a decade. There were police reports of young boys missing in areas adjoining Cox's Bazaar. Recent media reports give us an idea of the extent of migration in the past ten years. The fact remains that labour migration from Bangladesh to Malaysia is a practice recognised by both governments of Malaysia and Bangladesh. Rohingyas from Bangladesh began going to Malaysia probably because the latter was a Muslim country, and they felt that there was a huge labour market with high demand for labour. Consequently, the middlemen took Rohingyas along with Bangladeshi nationals. The Bangladeshis were included as they were likely to pay more than what the Rohingyas could afford.<sup>35</sup> The new boat people evoke comparison with the Afro-Asian groups often perishing in the Mediterranean and other seas while trying to reach European shores.

In West Bengal prisons the researchers found that jail authorities had mistaken Rohingyas to be Bangladeshi illegal immigrants and not Rohingya

asylum seekers, while Rohingyas had entered West Bengal from Bangladesh with the help of Bangladeshi migrants. Yet, the Rohingya and the Bangladeshi of the coastal land are a split soul and a split history at times precariously conjoined as in times like this. Therefore, is this also not a symbol of statelessness, when dual national identities often slip into one another causing consternation to the states involved?

And where else will this be found but in a boat in high sea? In the high sea desperately trying to reach Greece, who was a Syrian, who an Iraqi, and who was an Afghan? Or, in the Mediterranean who was a Sudanese and who was a Ugandan? Or, we can ask, when the captain of a ship was rescuing the boatpeople in the Australian waters, had he not forgotten his identity as the pilot and as a national, and had become almost one with the survivors (Iraqis, Iranians, Afghans) who had lost all national rights, and their respective national identities? In fact, after attempting to rescue the boat people off the Australian shore, Captain Arne Rinnan of *Tampa* ship had said, “It is a terrible thing to be out there in a broken down boat. I am afraid there might be fewer rescues. It is an unwritten law of the sea to rescue people in distress. I would do it again and I hope all my seafaring colleagues would do the same.” He said that he was not a hero, but a simple seaman.<sup>36</sup> Australia in on incident closed its door to 2390 boat people with what was codenamed as “Operation Relex” at a cost of AUD 500 million. The policy and army deployment resulted in 332 deaths in the sea. Some refugees set fire to themselves. Incidentally, those in charge of Operation Relex were later given public service awards, consultancy as contractors to defence department, and one became the executive chairman and CEO of Sydney Airport.<sup>37</sup>

Almost four decades back, the stories of Vietnamese boat people looking for shelter hit the news headlines. After so many years, the migrants/refugees/asylum-seekers/stateless persons are still seeking space aboard unseaworthy ships, with meagre food supplies and complete absence of sanitary conditions, to flee their respective home countries or the countries they find themselves in. After the weeks-long journey on rickety, overcrowded vessels, the displaced and stateless Rohingyas are either brought ashore to Thailand, Malaysia and Indonesia, where they are placed in the camps set up by the governments, or denied shelter in alien lands they perish in the seas, finding their end in mass graves. As my co-researcher asked rhetorically, “This is a high risk the Rohingyas take to escape their statelessness in conflict-ridden Myanmar. But, can they really escape the condition of statelessness? The answer is an emphatic ‘No’. Rather, they land up in a situation of precarity. Howsoever we brand them—refugees, migrants, asylum-seekers— they remain stateless in the world of nation-states. In countries marked by post-colonial societies, torn apart by the delineation or re-lineation of borders and boundaries, the Rohingyas are among the excluded.” History, more than law, is acting as the grand jury to decide the fate of the Rohingyas as political subjects of a state.

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<sup>36</sup> Marr and Wilkinson, *Dark Victory*, p. 293

<sup>37</sup> Marr and Wilkinson, *Dark Victory*, pp. 287-289; the internment in Nauru caused a scandal. Marr and Wilkinson wrote, "After being chastised by the Geneva headquarters, Australia cut its annual core funding to UNHCR by half." (p. 289)



# **Rohingya Refugee Crisis and Ethno-Religious Conflict in South East Asia: From Burma to Bangladesh and Back**

By

**Nergis Canefe \***

*We are like deer caught between two tigers.*

Rohingya proverb

During the last decade, new waves of ethnic violence in the Arakan (Rakhine) state of Burma/Myanmar have resulted in increased internal displacement and continued exodus of the Rohingya Muslim minority to neighbouring countries, including Bangladesh, India, Malaysia and Thailand. Both Burma/Myanmar,<sup>1</sup> which the Rohingyas claim as their ancestral land and Bangladesh, where the majority of the Rohingyas now live as unwelcome and/or undocumented refugees, deny the Rohingyas citizenship rights.<sup>2</sup> And both Burma/Myanmar and Bangladesh insist that the displaced Rohingyas are the responsibility of the other state.<sup>3</sup> This brief examination of the current crisis pertaining to the Rohingyas will highlight the story/history of how the Rohingya identity has been shaped and reshaped while living as a suppressed minority, then living along the borders, finally living as refugees, continually struggling to exist in the midst of political sovereignty claims and across a social and economic space that exists in-between and across borders.

Indeed, the political identity of the displaced Rohingya is closely linked with their social memory and life experiences in the borderlands. Rohingyas' beliefs, their particular rendition of Islam and the reproduction of their culture while in exile strongly suggest a non-conventional form of resistance to being dispossessed. Similarly, the close proximity of the refugees to their ancestral homeland creates a condition of simultaneous attachment and alienation. This type of life-politics along the borders once more challenges traditional understanding of borderland conflicts within the framework of state-imposed boundaries in South Asia. Historical examples of border conflicts across the region would suggest that migrants and refugees

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who seek asylum in a brethren/kin state would have relatively easy entry and institutional welcome. In the case of the Rohingya, however, the Bangladeshi state is reticent and weary at best. There is an ongoing debate as to whether the Rohingyas are indeed an integral part of the Bangladeshi society simply due to their religious identity, which supposedly rendered them a stateless minority in Burma/Myanmar in the first place.

In this context, in this article I examine the regional as well as nation-state level dynamics that shaped the transformation of the Rohingya issue from an assumed internal ethno-religious conflict to a regional refugee crisis. The combination of humanitarian impulses, international pressure and the normative principle of popular sovereignty in Bangladesh led to difficult decisions concerning the Rohingyas who made their way across the border. Consequently, developing a policy of containment and enforcement of the right of return became a national priority. In the following pages, I will briefly trace the historical roots of the Rohingya problem in Burma/Myanmar, provide a summary of the current refugee crisis, and conclude with the challenges and responsibilities neighbouring countries face when inundated with the mass arrival of Rohingya refugees, in particular concerning the role played by Bangladesh.

### **A Short History of Ethno-Religious Conflicts in Burma/Myanmar**

Multiple ethnic insurgencies plagued Burma/Myanmar since the country's independence back in 1948.<sup>4</sup> The military governments' response has been extremely brutal at the tactical level, although eventually there were a series of ceasefires with most of the country's ethnic groups. Still, there is continued existence of quasi-independent armed groups as some ethnic movements have developed their own armed operations. At present, the overall picture is one of stalemate between the state and the ethnic movements. From the time of the signing of the Burmese Constitution back in 1948, ethnic minorities in Burma/Myanmar have been denied constitutional rights. Furthermore, access to lands that were traditionally controlled by their peoples and participation in the government has been curtailed. Various minority groups have been consistently oppressed by the dominant Burmese majority, in addition to suffering at the hands of warlords and regional ethnic alliances. At the outset, religion played a particularly salient role in the ethnic conflicts that have taken place since Muslims, Hindus, Christians and Buddhists lived in Burma/Myanmar side by side for centuries. Prior to the Rohingya tragedy, the Karen, Karenni, and Mon ethnic groups have been forced to seek asylum in neighbouring Thailand. These groups are perhaps more fortunate than the Wa and Shan ethnic groups who have become Internally Displaced Peoples (IDPs) in their own state since being removed from their ancestral lands by the military junta in 2000. There are reportedly 600,000 of IDPs living in Burma/Myanmar today.<sup>5</sup> The continuous displacement of peoples has led to both human rights violations as well as the exploitation of minority ethnic groups. The Rohingya crisis is the latest episode in this long chain of events leading to mass waves of forced migration in Burma/Myanmar.

Under the recent transition process led by President Thein Sein (2011-2016), the Burma/Myanmar Government sought to pursue a complex set of economic and political reforms in order to resolve existing ethnic conflicts and to achieve national reconciliation. Although the reforms are intended to pave the way for peace, increased violent conflict has emerged as a key threat to stability in the country. Adding to the complexity, Burma/Myanmar simultaneously faces three distinct types of conflict: conflict with ethnic armed groups; violent opposition to resource exploitation staged by ethnic minorities; and, communal violence in regions with mixed populations. Interestingly, all of these conflicts contain a dimension that is related to extractive industries. Before the recent political and economic transition, Burma/Myanmar was an isolated South Asian post-colonial state, burdened by chronic mismanagement during five decades of military-led governments (1962-2011). The country's development was held back by a confusing multiple exchange-rate fiscal regime, an unstable regulatory environment for businesses, stifling restrictions on agricultural production, and regular bursts of high inflation, which created masses of urban and rural poor living below the poverty line. Adding to this *mélange*, successive military governments fought long running wars against ethnic armed groups struggling for self-determination and independence. These conflicts inflicted a heavy toll in terms of both casualties and state finance and led to the creation of large displaced populations. Furthermore, armed conflicts have seriously held back investments and state-induced development in ethnic minority areas. From the perspective of minorities, resource-rich ethnic states of Burma/Myanmar have been targeted for predatory resource extraction by the Burmese majority. That factor served to perpetuate the animosity towards military governments and fuelled the outcry for autonomy or independence. Historically, Burma is divided into seven regional (previously called divisions) divisions (*taing*) and seven states (*pyi-ne*), classified by ethnic composition. In each of these regions, there is a long history of ethno-religious conflicts marked by competing claims for land and resources.<sup>6</sup> In other words, Rohingyas struggled to exist in a context that marked them as disposable not so much due to their identity but much more so where they lived and what they claimed as their ancestral rights.

In the period that followed the election of President Thein Sein (2011) and the gradual return of civilian politics, ethnic politics remained a major preoccupation for the government. Explaining the varieties of ethnic political interests in the country is crucial for understanding the emergence of the Rohingya crisis. Although there are different manifestations of ethnic political interests in contemporary Burma/Myanmar, the overall pattern of ethnic politics in the country is one of long-term, low-grade and militarised conflict. The challenge of fully reconciling Myanmar's diverse peoples and including them in one political system remains unfilled. Furthermore, given the nature of their exodus, it may indeed be too late for the Rohingya to be included in that grand tally.<sup>7</sup>

### The Current Crisis

The simmering tension between Rakhine Buddhists and Rohingya Muslims in Western Myanmar escalated in 2012 to a violent conflict. The violence led to the loss of over a hundred lives, destruction of thousands of homes and displacement of thousands of people. The central government intervened to end the bloodshed but tension continued to linger. Despite the government's plan to undertake several programs to address the ramifications of the 2012 violence and its attempt to prevent the violence from happening again, the remedial measures did not lead to a sustained political solution. Consociational democracy model purported for the formation of a stable democratic government in a fragmented society such as Burma/Myanmar has long been suggested as a potential solution to this conundrum.<sup>8</sup> However, this particular debate fails to attend to the status of Rohingyas and the constitutional denial of their rights. At least in theory, all eligible individuals should be entitled to full citizenship rights in Burma/Myanmar. However, Rohingyas have been categorically excluded from the Burmese citizenship regime. Both successive Burmese/Myanmar governments and the general public failed to embrace the Rohingya population as legitimate members of the society. And hence the conundrum: since they were not the only ethno-religious minority, why were they targeted so severely?

If we go back in history, the Rohingya people of Burma/Myanmar were stripped of their citizenship in 1982, with the reasoning that they could not meet the requirement of proving that their forefathers had settled in Burma before 1823. However, how that exact cutting date was decided is a matter of political rather than cultural speculation. Based on this creative fiction of ancestry determination, currently Rohingyas account for one/seventh of the global population of stateless people. To add insult to injury, of the total 1.5 million Rohingya people living in Burma/Myanmar and across Southeast Asia, only 82,000 have legal protection and rights obtained through UN-designated refugee status. Since 2012, hundreds of thousands Rohingyas have fled Burma/Myanmar, either marching on foot or in poorly constructed boats for journeys lasting several weeks to neighbouring countries, causing hundreds of deaths. Examination of the comparative experiences of Rohingyas who fled in the early 1990s to Bangladesh and Malaysia and their current exodus would indeed render the refugee protection regime in the regional context of Southeast Asia readily observable, though this lies beyond the scope of the current analysis.<sup>9</sup> One common factor that defines the overall condition of the dispossessed Rohingyas, however, could be summarised in the following terms: although somewhat secure from *refoulement* and relatively invisible among larger irregular migrant populations, Rohingya refugees in the region had to develop protection strategies and livelihood mechanisms outside the boundaries of formal asylum by seeking communal survival and *de facto* integration.<sup>10</sup> Still, in the face of severely limited regional responses and the *impasse* concerning tangible solutions to the Rohingya crisis, Rohingya refugees from the Arakan state of Burma/Myanmar who found their way to Bangladesh since August 2017 had to negotiate

further and deeper marginalisation in their destination points. The level of abuse and persecution perpetrated upon them surpass the possibility of quantification. Rohingyas were forced out by state-sponsored persecution in Burma/Myanmar, and yet they are currently forced to be repatriated due to the fact that Bangladesh cannot afford to welcome them either as migrants or as refugees. Hence the cycle of violence repeats itself, with each turn costing more lives and normalising the situation of the Rohingya as perpetually dispossessed.

### **Political Economy of Displacement in Burma/Myanmar**

Mass displacement and refugeehood are characterised by unqualified suffering, and this kind of dark and deep suffering is not experienced by refugees alone. The host community itself may be as poverty stricken and devoid of means as the newly arriving populations, and hence the typical pitting of the poor against the poor and subtle forms of imposed warfare within subaltern classes. The pain exacerbates when the refugee situations are prolonged and no long-lasting solution appears feasible. The case of Rohingya refugees in Bangladesh is one of the most complex refugee situations in South Asia inducing multiple forms of suffering, which has been continuing for more than three decades. While the effectiveness of traditional durable solutions offered by the UN Refugee Agency (UNHCR) remain highly questionable, examining the nature of the political engagement exhibited by stakeholder state parties is essential for our understanding of the regional and historical nature of the problem.

At least in strict legal terms, being a refugee in the international context is considered a temporary phenomenon. In international refugee law, it is speculated that after the situation becomes ‘normalized’, refugees would either return to their own country or would be naturalised in their host country. And yet, for decades, the global trends repeatedly negate this perception or perhaps, deception. By the end of 2012, there were 10.5 million refugees worldwide and among them estimated 6.4 million were in protracted situations. UNHCR defines a protracted refugee situation as one in which 25,000 or more refugees of the same nationality have been in exile for five years or longer in a given asylum country. By 2013, 6.4 million protracted refugees were living in 25 host countries. In this context, Rohingya refugees living in Bangladesh constitute one of the key examples of protracted displacement whereby the right of return debate does not suffice to understand the true nature of the ongoing crisis. As of 2018, there are an estimated 65.6 million forcibly displaced people worldwide, of which only about 17 million falls under the mandate of the UNHCR.<sup>11</sup> In the midst of this vast sea of dispossession, do the Rohingyas constitute a particularly visible conglomeration of human suffering? What are the criteria used for us to reach such a dubious determination?

As an ethnic, linguistic and religious minority group of Northern Rakhine State (NRS) of Burma/Myanmar, since 1982 the Burma/Myanmar Government categorised Rohingyas as illegal immigrants from Bangladesh.

Being persecuted by the government forces and extremist section of the majority Buddhist Burmese, Rohingyas first came to Bangladesh in two major influxes in 1978 and 1992. Some of these first waves of refugees initially accepted by Bangladesh have been repatriated and the remaining about 30,000 Rohingyas are still living in two registered camps administered by the government and the UNHCR. However, a large number of Rohingya people, approximately 200,000, have been living in camps and local villages without registration or any valid legal status. Currently the repatriation process has virtually stagnated. The presence of such a large number of refugees has created escalating tension in the host communities and impacted adversely the economy and environment of the entire region. The backwardness and the remoteness of the Rakhine region in Burma/Myanmar, in addition to the brutal communal tension that existed between the Buddhist and the Muslim populations and the state sponsored repression led to this final exodus of the Rohingyas from their normal place of habitat. Similar to a dozen of other sub-national groups in Myanmar, the Rohingyas were not integrated into the mainstream Myanmar nation-building project and were severely marginalised.

### **Bangladesh as the Final Destination?**

Although Bangladesh is not a signatory to the 1951 Convention, its acceptance of the Universal Declaration of Human Rights of 1948 and its own experience in the Liberation War as a result of which one out of every seven Bengalis became a refugee in India, created an environment of moral responsibility to uphold the basic rights of the refugees. In this regard, for decades, the Bangladesh Government has provided relief and shelter to Rohingyas, while UNHCR have provided support to the Bangladesh authorities in coping with repeated crises of such magnitude. In spite of the humanitarian assistance rendered to the refugees, however, Bangladesh authorities continually seek the 'quick and safe return' of the Rohingyas to Burma/Myanmar. Indeed, UNHCR has also been actively engaged in organising the repatriation of refugees. However, Burma/Myanmar has no interest in receiving the returnees and hence the current *impasse*, as before. In this regard, one hand gives, while the other hand takes back.

In terms of geography, in the case of Rohingyas arriving at Bangladesh, we are dealing with borderland politics *par excellence*. Arakan province is a long stretch of land along Myanmar's coastline in the Bay of Bengal. The northern tip of the region adjoins Bangladesh and there is 176 miles of common border between the two countries. The Naf River separates the two countries as a natural borderline. The Arakan Yoma mountain range also separates the region from the mainland Myanmar. Back in the days of colonial history, the incorporation of Arakan with Burma brought the Burmese in direct contact with British India. The natural resources of Burma then led the British to wage the Second Anglo-Burmese War, which ended in 1853 and ensured British occupation over entire lower Burma, later known as the rice bowl of the British India. In short, the Rohingyas historically lived in a region, which has long been subjected to warfare due to the natural resources

it harboured. In this regard, the current crisis should be considered as the latest episode of the clash over authority in that border region dating back almost 150 years, the Rohingya people being caught in between once more.

In terms of challenges faced by and responsibilities to be shouldered by the hosting states in a refugee crisis, Bangladesh is already coping with pressing needs of its own and the Rohingya refugees numbering close to 1 million people are adding massive pressure to services in existing refugee camps and makeshift settlements, as well as local economies. Meanwhile, Rohingya refugees arriving in Bangladesh report fleeing appalling violations of human rights and other abuses in Burma/Myanmar, including mass rape and other forms of communal punishment and brutality. In addition to registering new arrivals and provision of comprehensive services at the border to curtail chaos, the Government of Bangladesh is asked to work closely with the United Nations and other international humanitarian organisations to coordinate the overall humanitarian response in order to ensure that Rohingya refugees are protected in line with international standards of such rescue operations, and to provide desperately needed support for food, shelter, health care and water. In other words, Bangladesh is declared the willing agent of international humanitarian network for dispensing good will and minimal aid to ensure survival of the chronically dispossessed Rohingya. As befitting this scenario, most of the newly arrived Rohingya refugees have moved into makeshift settlements without adequate access to shelter, food, clean water, or latrines. Two of the main pre-existing settlements in Kutupalong and Balukhali thus effectively merged into one densely populated mega-settlement of nearly 500,000 people, making it one of the largest refugee concentrations in the world. This situation no doubt calls for envisioning longer-term solutions to their inhabitation in Bangladesh. Furthermore, surveys conducted by Doctors without Borders/Médecins Sans Frontières (MSF) in refugee settlement camps in Bangladesh estimate that at least 9,000 Rohingyas died in Burma/Myanmar, in Rakhine State, between 25 August and 24 September in 2017. Accordingly, approximately 71.7 per cent of the reported deaths were caused by state-sponsored or state-condoned violence, as a result of which at least 6,700 Rohingyas are estimated to have been killed during their escape, including at least 730 children below the age of 5 years.<sup>12</sup> Given this rather bewildering tally of violent deaths, the dominant humanitarian rhetoric dictates that it is of utmost importance that the Bangladeshi state fulfils its role as a safe haven for the Rohingya refugees until a peace agreement and guarantees for their safe return to Burma/Myanmar could be secured.

It is true that the latest wave of Rohingya refugees from the Arakan state of Myanmar found their ways to Bangladesh yet again to escape state-sponsored persecution. However, to understand the dynamics and severity of reported humiliation and violations of the Rohingya population, and to examine their further marginalisation in their destination points, we must resort to a larger frame of analysis than the one provided either by humanitarian disasters literature or by forced migration studies. Both qualitative and quantitative analyses reinforce that the level of abuse and persecution perpetrated upon Rohingyas constitutes a repeat offense. Not

only were they forced out by state-sponsored persecution, they are then forced to be repatriated due to the fact that Bangladesh, or indeed other neighbouring South Asian states cannot afford to host them.<sup>13</sup> Many argue that the genesis of the crisis lies in the denial of Burma/Myanmar of their legal status and thus, granting citizenship to Rohingyas would offer the ultimate solution. However, as I attempted to demonstrate in this article, apart from or in addition to such legal remedies, several aspects of this ongoing crisis require further analysis of post-independence statehood in South Asia.

No doubt, the Rohingya's identity as a minority does lead to their persecution. Yet, not all minorities in Burma/Myanmar are slotted for the same kind and severity of treatment as Rohingyas. Furthermore, their minority identity has been (re)constructed over time and as they were forced to move from place to place as a result of forced migration and mass expulsion. In the context of the development of Burmese nationalism, politicisation of identity for Burmese majority favouring strict ethnic divisions as opposed to a civic citizenship model has been a key factor that led to the taking away of the citizenship of Rohingyas. These circumstances gave rise to a type of citizenship regime in Burma/Myanmar that fails not only to include the religious minority within its ambit, but also shuns away from the institution of any kind of administrative and constitutional law framework that would allow minorities to have access to the resources and benefit from the profit that is accrued from them in an equitable way.

## Conclusion

Contrary to the general reaction to Burma/Myanmar's politics in the wake of the Rohingya crisis, as I argued above, internal and external displacement of populations in the country is not a new phenomenon. Displacement is caused by numerous factors, much of which is related to misguided and wrongfully administered social and economic development initiatives. Efforts to consolidate the state by assimilating populations in government-controlled areas while brokering cease-fires with non-state actors led to the emergence of areas in which internally displaced persons (IDPs) continually face social turmoil within a general climate of impunity. Similarly, humanitarian access to IDP populations remains extremely problematic, which then leads to the transformation of IDP movements into regional refugee crises. International attention has exclusively focused population movements along its borders seeking to contain displacement. Rohingyas' most recent crossing into neighbouring Bangladesh *en masse* has put unbalanced pressure on the country's scarce resources. Thus, with a twist, while most studies in the field of forced migration strive to explain why and how insecurity produces refugees, the opposite process—how refugees could inadvertently contribute to conflicts and insecurity in their host country—is also worthy of consideration. The Rohingya crisis has been a bone of contention for the bilateral relations between Myanmar and Bangladesh since the late 1970s. The Rohingya problem is composed of various episodes of past and present human rights violations in Burma/Myanmar. In this respect, it is essential to



analyse the current crisis in a historical and regional context rather than as a single catastrophic episode effecting two neighbouring countries alone.

The rise and fall of ethno-religious conflicts in South Asia are inextricably linked with the chronic crises of the legitimacy of the states in the region, Burma/Myanmar being one such key example. Regarding the Rohingya refugee crisis, the role of religion and religious difference in the conflict has been given marked attention by the media, academics and policy makers. This is very much in line with the special emphasis put on religion in the examination of other long-term ethno-religious conflicts, including the civil wars in Sri Lanka, Afghanistan, the former Yugoslavia and the Sudan as well as inconclusive peace processes in Cyprus, Israel and Northern Ireland. One explanation for this preferential treatment of religion in the analysis of ethno-religious conflicts is that the framework provided by the modernisation/secularisation school of thought, arguing that the processes of economic and political modernisation would have caused the demise of primordial factors such as ethnicity and religion and when the state and the economy are weak and progress is absent, they come back.

Suffice to state that processes of capitalist modernisation have actually increased the salience of ethnic and religious identities in the struggles for social justice, autonomy, access to resources and the general discontent against the late-capitalist state, whether in the core or in the periphery, in the West or in the Global South. Thus, as the Rohingya example amply demonstrates, any perceived 'direct' relationship between religion and conflict is somewhat illusory. Rather, religion or ethno-religious identity acts as a front for other, much deeper social forces and variables, which in this case, fall under the purview of the political economy of the post-independence states in the Global South. Furthermore, while religious motivations do play a major ideological and discursive role in the majority of ethno-religious conflicts in South Asia, their importance is determined by other reasons.

Accordingly, in this short study, I avoided the assessment of the causal effects of Rohingya ethno-religious identity vis-à-vis state-sponsored violence they have been subjected to for several decades. Rather, my focus was on how religious discrimination, and grievances based on such discrimination such as removal of citizenship, cloak the level of protest in which ethno-religious minorities engage due to reasons related to access to resources and political inequalities, as well as the degree of oppression and violence purported or condoned by their home state. In my opinion, at least in the case of the Rohingyas, religious discrimination is *not* the main cause of their plight. Instead, it became a motive that added ethical and normative mantle to already existing lines of discontent and exclusion in Burma/Myanmar. Unfortunately, it also colours our understanding of their exodus/expulsion and our search for remedial answers to such an extent that we isolate the Rohingyas from the very state and the region within which they became a minority.

The Rohingyas have been called 'the world's most persecuted minority' due to their continual and repeated subjection to pervasive human rights violations, including minority rights violations, ethnic cleansing,

statelessness and crimes against humanity. While preventative action to assist the Rohingyas comes with an array of challenges, the normative foundations of neither forced migration studies nor international law pertaining to statelessness allow us to be equipped with the means or the vision to address these adequately. On the other hand, a critical examination of internal displacement, statelessness and mass exodus, and, ‘unbundling’ of protection needs to reveal underlying structural inequalities could provide us a toolkit for developing responses apart from humanitarian aid or emergency measures for survival of the dispossessed Rohingya populations. Therefore, it is imperative that scholars, advocates and practitioners alike consider the practical value of taking a step back to see the larger picture, as well as re-examine glaring and yet overlooked aspects of widespread and varied human rights abuse related to state-criminality. Thwarting mass atrocities and preventing future violence may not be directly in our hands. However, that should not hinder further consideration of ongoing structural violence that is endemic to new regimes of accumulation and usurpation that are establishing themselves firmly in the context of South Asia, while masking their bloodied parade of expropriation of lives and livelihoods as ethno-religious conflict.

## Notes and References

<sup>1</sup> The country’s name remains a contentious issue. The ruling military junta changed its name from Burma to Myanmar in 1989, a year after thousands were killed in the suppression of a popular uprising. Burma’s democracy movement prefers the form ‘Burma’ since they do not accept the legitimacy of the unelected military regime to change the official name of the country. Internationally, both names are recognised. See “Should it be Burma or Myanmar”, *BBC*, 26 September 2007. Available at <http://news.bbc.co.uk/2/hi/7013943.stm>, accessed on 21 April 2018. Throughout this text, I use the Burma/Myanmar format.

<sup>2</sup> Between August 2017 and January 2018, Bangladesh officially received 656,000 Rohingya refugees, and this number continues to increase daily. Before this latest crisis began, the country was already hosting a population of well over 200,000 Rohingyas who escaped Burma/Myanmar. See United Nations Office for the Coordination of Humanitarian Affairs report on Rohingya Crisis. Available at <https://www.unocha.org/rohingya-refugee-crisis>, accessed on 21 April 2018.

<sup>3</sup> For an up-to-date situation report produced by the International Organization for Migration, see <https://reliefweb.int/report/bangladesh/isecg-situation-update-rohingya-refugee-crisis-cox-s-bazar-29-oct-2017>, accessed on 21 April, 2018.

<sup>4</sup> On 4 January 1948 Burma ended 60 years of colonial rule when it officially declared independence from Britain. Already back in pre-independence days, the country was troubled by conflicts between Burma’s rival ethnic groups, though independence provided a unifying force for the nationalist movement. See Myint Zan, “Judicial Independence in Burma: Constitutional History, Actual Practice and Future Prospects”, 4 *S. Cross U. L. Rev.* 17 (2000).

<sup>5</sup> See Steven Lanjouw et al., “Internal Displacement in Burma”, *Disasters* 24, no. 3 (2000): 228. For a current estimate of the IDPs in Burma/Myanmar, see the Report by Internal Displacement Monitoring Center, “Overview Myanmar 2014”, Internal Displacement Monitoring Center, 2014. Available at <http://www.internal-displacement.org/south-and-south-east-asia/myanmar/2014/>, accessed on 21 April

2018; and, New Ni Win Kyaw and Ni Ni Win, “Challenges of Reintegration for Returnees in Myanmar”, in *Refugee and Return Displacement among the Thai-Myanmar Border*, Springer, 2016, pp. 37-48.

<sup>6</sup> On the Burmese post-colonial state, see Martin Smith, *Burma—Insurgency and the Politics of Ethnicity*, London and Atlantic Highlands, NJ.: Zed Books, 1991.

<sup>7</sup> See Xavier Devictor and Quy-Tuan Do, “How Many Years Have Refugees Been in Exile?” *Population and Development Review* 43 (2017): 355.

<sup>8</sup> Consociationalism denotes proportional parliamentary representation based on the demographic fault-lines in an ethno-religiously divided country. Historical examples of this model of democratic governance are Belgium, Lebanon and Cyprus.

<sup>9</sup> See A. Azad and F. Jasmin, “Durable solutions to the protracted refugee situation: the case of the Rohingya in Bangladesh”, *Journal of Indian Research* 1, no.4 (2013): 25; and, E. Abdelkader, “Myanmar’s democracy struggle: The impact of communal violence upon Rohingya women and youth” *Pacific Rim Law & Policy Journal* 23 (2014): 511.

<sup>10</sup> *Non-refoulement* is the foundational principle of international refugee law that refers to the obligation of states and other legal parties not to force refugees or asylum seekers to return to a country in which they are liable to be subjected to persecution. However, in practice, it is also one of the most commonly resorted strategies states faced with influx of refugees resort to. This often takes the form of bi-lateral agreements and the dealings between Burma/Myanmar and Bangladesh constitute a case in point.

<sup>11</sup> See the International Organization of Migration report on Global Trends outlining the evolution of these figures, in particular Chapter 2. Available at [https://publications.iom.int/system/files/pdf/wmr\\_2018\\_en.pdf](https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf), accessed on 21 April 2018.

<sup>12</sup> See the MSF’s Rohingya report available at [https://www.doctorswithoutborders.ca/issues/rohingya-refugee-crisis-bangladesh-fleeing-violence-myanmar?utm\\_source=google&utm\\_medium=cpc&utm\\_campaign=fundraising&utm\\_term=grants&utm\\_content=textad&gclid=EAIaIQobChMIp\\_zwzqHW2AIVnbXACh2VNQY1EAAYAyAAEgL7AfD\\_BwE](https://www.doctorswithoutborders.ca/issues/rohingya-refugee-crisis-bangladesh-fleeing-violence-myanmar?utm_source=google&utm_medium=cpc&utm_campaign=fundraising&utm_term=grants&utm_content=textad&gclid=EAIaIQobChMIp_zwzqHW2AIVnbXACh2VNQY1EAAYAyAAEgL7AfD_BwE), accessed on 21 April 2018.

<sup>13</sup> See the literature on Rohingyas dating back to 1980s, see, for example, E. K. Maudood, “The Rohingya refugees in Bangladesh: Historical perspectives and consequences”, in *Refugees: A Third World Dilemma*, edited by John Rogge, Rowman and Littlefield, 1987; C. Lambrecht, *Return of the Rohingya Refugees to Burma: Voluntary Repatriation or Refoulement*, Washington, DC: US Committee for Refugees, 1995; International Federation of Human Rights Leagues, *Burma: Repression, Discrimination and Ethnic Cleansing in Arakan*, 2000; Médecins Sans Frontières-Holland, “10 years for the Rohingya refugees in Bangladesh: Past, present and future”, 2002; I. Ahmed, *The Rohingyas: From Stateless to Refugee*, Dhaka: University of Dhaka, 2009; Akh Ahsan Ullah, “Rohingya refugees to Bangladesh: historical exclusions and contemporary marginalization”, *Journal of Immigrant and Refugee Studies* 9, no. 2 (2011): 139.

# **‘Moving Out’ and the Social Imaginaries at Play: Construing the Trends in Migrations in Darjeeling Hills & Plains (2005-2015)**

By

**Anup Shekhar Chakraborty \***

## **Introduction**

The limited possibilities of growth and the skewed infrastructural initiatives in the region naturally propel the flow of exodus from the region into other destinations providing greater opportunities in terms of jobs, realisation of aspirations and political stability. ‘Moving out’ from the region into more secured spaces become the lived realities of the region. However, ‘Moving out’ is not as simple as it seems. Questions that loom large are ‘why do individuals/people move?’; ‘what compels them to make the choice of moving?’; or is moving out the result of no choice?’; ‘what is the direction of the social mind in terms of making the calculations towards moving?’ and also what are the social imaginaries<sup>1</sup> at play in making such decisions?

The social imaginaries of ‘Moving out’ is best summed up through what is locally referred in Nepali language as ‘*Taan-neb*’ (‘to pull someone with a magnetic effect’, denoting a vertical mobility). ‘Moving out’ is also imagined as being rescued and placed at a socially elevated position. The image comes very close to the mercenary imagery of the ‘*Laborey*’ (Lahore return Gorkha mercenaries of Maharana Ranjit Singh) which propelled the trend of recruitment of the Gorkha into the Army (British as well as Indian).

‘Moving out’ seems to be an easy engagement, however, celebrated as it is ‘moving out’ comes with its own dynamics. ‘Moving out’ is a highly complex engagement often equated with ‘coming out’ and like other realms of ‘Identity’ positioning is fraught with a plethora of ontological and epistemological complexities and a diversity of approaches and interpretations implicating competing presuppositional theories about the personal, social or

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collective 'self' either as discrete and isolated from or as connected with the 'other', and correspondingly about identity as pregiven, predetermined, biologically derived and therefore static and bounded or as socially constructed, contextual, contested and therefore fluid and shifting, is one of the most challenging, yet compelling realms of disquisition and articulation within contemporary social science theoretical orientation and research agenda.

The prominent focus on 'mobility' in the context of migrations of women over men arguably has links to assumptions about gender and, in particular, a generalized notion of female vulnerability. That is, "whereas men (who migrate) are viewed as active, adventurous, brave and deserving of admiration, for the same behaviour women are pictured as passive, foolish and naïve deserving either rescue or punishment". In discourse and practice about human mobility, these assumptions about gender, migration and vulnerability seem to have been emphasized so that female migrants who are exploited are often conceptualized as trafficked, while male migrants are seen more commonly as irregular migrants when faced with the same violations and abuse. Importantly, this perspective not only unduly focuses on women but also leads to an omission of men from the larger migrations discourse and trafficking discussion, and by implication, prevention and assistance paradigms.

### **Darjeeling Hills and Darjeeling Plains: A Bird's-Eye View**

One of the first images that strikes one's mind when one hears the name "Darjeeling" is idyllic snow-capped mountains, misty winds and greenery, and a sip of hot stimulating Darjeeling tea'. Never realising that Darjeeling has more to offer and that the district of Darjeeling comprises 'hills' and 'plains', and the climatic variations, people, languages, religions just to mention few markers are undoubtedly protracted. This confusion with the 'town name' and the 'district name' becomes more pronounced for first time travellers/visitors to North Bengal University /University of North Bengal popularly known as 'NBU'. Darjeeling district comprises the hill division and the plains division. Darjeeling, Kurseong, Mirik and Kalimpong fall under the hills areas. Post 2017 Kalimpong was carved as a separate district.

Darjeeling, a much contested geopolitical space in northern Bengal close to Sikkim, Bhutan and Nepal<sup>2</sup> eventually fell into the hands of British East India Company between 1828 and 1835 through a series of negotiations and treaties between and among the contending actors in the region.<sup>3</sup> The British colonial encounter led to the development of the region as a sanatorium and a military depot, an educational centre and a plantations area for tea. Darjeeling as a hill station became a bastion for colonial activity. The British incorporated the natives such as the Lepcha and the Bhutia within the greater colonial framework and the people found themselves in a new set up merged with the flow of migrants from surrounding regions. It was a paradox that although the British had created Darjeeling to relax and distance themselves from the native Indians, the multifarious demand for labour that

arose when they arrived led to the opening of the floodgates to the melange of native workers such as servants, porters shopkeepers traders, water carriers, masons, butchers, washer men, dandy bearers, butlers, ostlers, battiwallas, carpenters, blacksmith, construction workers, tea labourers, the middle and upper class Bengali *bhadraloks*<sup>4</sup> and also the Balmiki community.<sup>5</sup>

It is to be noted that ‘migrations’ in the context of Darjeeling needs to be seen by and large at the level of ‘in-migrations’ and ‘out-migrations’. The former trend of migrations has been the cause of several contentious debates and is largely perceived as threatening the social fabric as well as the local economy of Darjeeling. This threat perception is interesting because the historical development of Darjeeling speaks aloud the Colonial engagement and encouragement of ‘in-migrations’ to build the ‘Hill Station’. So, historically speaking ‘in-migration’ led to the development of Darjeeling and strangely enough contemporary Gorkha nationalist discourse considers ‘in-migrations’ and in-migrants as a ‘threat’. Coupled with this paradoxical point I drive forward another very contentious and highly charged question, which possibly does not have a straight/clear response, ‘Who is a local?’<sup>6</sup>

Amidst all these ‘very uncomfortable questions’ and ‘historical back-tracking’, remains the fact supported by statistics that ‘Out-migration’ or ‘Out-movers’<sup>7</sup> has steadily increased from the peripheral areas to other mega cities of India as well as abroad in last few decades. The region exhibits a strong sense of *relative deprivation*<sup>8</sup> among the people ranging from ‘anti-outsiders feelings’<sup>9</sup> to ‘anti-South Bengal’ feeling to ethnic fissures etc., further substantiating to the complex axiomatic relationship between material inequality and political instability. And here in lies the weight of Huntington’s argument that rapid economic growth as propelled by globalisation tended at least in the short term to coexist with a widening pattern of income distribution- a rule of thumb among economists known as the Kuznets’ Curve- has led not to rising contentment but to greater discontentment.<sup>10</sup>

The afore mentioned *push and pull factors* have existed in the region for the last few decades but the trend of outmigration to mega cities, particularly in search of job opportunities, did not take place so rampantly until the emergence of globalization. Globalization has opened the doors for opportunities to people of the region to mega cities and acted as a major pull factor.<sup>11</sup> For instance, the demand for Indian food and restaurants, chain of budget hotels such as Travelodge and the informal sector in United Kingdom has opened up newer opportunities for the flow of Gorkha/Nepali speaking population. The mobility of the Gorkha/Nepali speaking populations has increased over the years adding on to the diaspora community and feeding into the desire of retaining an authentic pristine “home” back at the place of origin.<sup>12</sup>

Reversely Darjeeling continues to attracted large inflow of ‘in-migrants’ to occupy the ‘labour vacuum’ created by the outmigration of labour force both skilled and semi-skilled to greener pastures in other states and abroad. For instance, child labourers in small tea stalls, restaurants, and domestic helpers in Darjeeling town in most cases are sourced out from areas closer to Islampur and the Duars and surrounding tea garden areas.<sup>13</sup> Similarly

construction labourers and adult male helpers in hotels have been sourced from Siliguri, Chopra, Islampur, Kishangunj etc.<sup>14</sup> Porters ('Coolies') and water carriers locally referred to as '*bhariya*', '*namley*' '*bharibokeney*' in most cases hail from Nepal and Indo-Nepal border areas.<sup>15</sup> All these further substantiate the understanding that 'In-migration' or 'In-movers'<sup>16</sup> have steadily increased from the peripheral areas to other mega cities of India as well as abroad in last few decades.

Post Indian independence Darjeeling was merged with the state of West Bengal following which a separate district of Darjeeling was established consisting of the hill towns of Darjeeling, Kurseong, Kalimpong and some parts of the Terai region. The region of North Bengal ever since has remained ethnically sensitive with the hill population comprising the ethnic Nepali/*Gorkha* who mostly migrated during British times, and the plains occupied by communities such as Bengali, *Santhal/Adivasi*, *Rajbansis* (Cooch, Kamtapuri). A strong sense of discontent has emerged among the prominent contending communities in North Bengal reverberating itself in the form of demands for smaller states, autonomous territorial councils and certain other concessions from the Union and the state government of West Bengal.<sup>17</sup> Following a restive trend the rationale for a separate state for prominent contending communities in the region has been put forward geared to protect linguistic and cultural identities and also facilitate rapid development.<sup>18</sup>

### **Trends in Migrations in Darjeeling Hills and Darjeeling Plains**

Geographic mobility in the form of 'outmigration' has accelerated with economic development and technological opportunities<sup>19</sup> elsewhere. The *push and pull factors*<sup>20</sup> for outmigration from Darjeeling Hills can be identified as additional reason for socio-political unrest in region, which has effected economic development<sup>21</sup>, employment opportunities<sup>22</sup> and educational system in the region. Employment opportunities are limited with few private sector and non-governmental initiatives in the North-East region in general and Darjeeling District in particular. Government employment thus is highly coveted and only those with the 'right political connections' or money enjoy the benefits of 'authoritative allocation of values'. The region remains largely unexploited and untapped in terms of resource potential and consequently presents an unimpressive Human Development Index (HDI).<sup>23</sup> Prominent migration trends in Darjeeling have been gleaned below:

#### **1. British Army/ Indian Army: Military Masculinities, Military Sensibilities**

Army (Indian and British Army) has been one of the prominent trends of outmigration in Darjeeling. The social imaginaries of the mercenaries as 'Mughlan' and 'Lahorey' continue to cloud the construct of the brave invincible warrior. For instance, Gorkhas who served in the Mughal army that is '*Mughlan*' (Mughal return), Gorkhas who served in the British armies and

placed in and around Lahore that is '*Laborey*' (Lahore return).<sup>24</sup> The *Gorkha* have time and again attempted to muster their community identity against the experience of the Colonial encounter and this identity of a '*Bir Gorkha*' (Brave *Gorkha*) continues to mould and shape 'everyday lived politics'. The Gorkha eulogized as a 'warrior community' received preferential treatment in terms of recruitment in the Army; and this form of outmigration continued from the colonial through the post-colonial times.<sup>25</sup> The outmigration in the form of a career in the Army provided a regular flow of remittance back at home and the 'money order economy' substantially supported the local economy in Darjeeling hills. However, this form of outmigration was numerically limited and had a pronounced impact on the families of the out-movers back at home. For instance, the families at home began to grow financially through the money order economy in terms of land ownership and entrepreneurship.<sup>26</sup> The trickle-down effect was steady and effective.<sup>27</sup>

The employment to the British Army for the Nepali speaking population from Darjeeling continues amidst strange and complex manoeuvrings for crossing the lines of geographies, nationalities, citizenship, identities. For instance, one of my respondents 18 year old Simba Mukhia<sup>28</sup> from Kurseong elaborately outlined the complex process of his father enrolling in the British Army. Simba mentioned that his father went to Nepal and based himself at a relative's place for over two years, during which he attained the necessary papers certifying himself as a citizen of Nepal and having roots in Nepal. The '*Nagriktaapatra*' and Nepalese Passport enabled himself to enrol in the recruitment drive for the British Army in Nepal. Procuring the papers included bribing the staff and agents (middlemen) both in India and Nepal. Similar issues were narrated by my respondents from Darjeeling whose parents or relatives were serving in other professions in the UK. Almost all of them mentioned 'it is easier to move abroad via Nepal than from India', this again cemented the social imaginaries at play among the community in focus.

Reverse flow of Army recruits from Nepal in the Armed forces of India is another interesting feature of Army recruitments of the Nepali speaking population from the other side of the border. Parkash Subba<sup>29</sup> hails from Ilam and has been serving in the Gorkha Rifles and is currently (as on October 2014) placed in Dimapur. Dinesh Rai<sup>30</sup> hails from Kathmandu and is in the Indian Army and currently (as on October 2014) posted in Coochbehar. Like Prakash and Dinesh hundreds of young single and married men from Nepal serve in the Indian Army as a result of the Indo-Nepal Treaty. It is interesting to observe that though it is tough for the young Gorkha men from Darjeeling to recruit themselves in the Indian Army, it is technically easier for the young Gorkha men from Nepal to recruit themselves as soldiers in the Indian Army. This trend was popular even in the Civilian Police recruitment drives in North Eastern states like Mizoram as late as the 1990s.<sup>31</sup>

It is interesting to observe that the construction of the 'Sepoy' and the notion of security are webbed with that of the social imaginaries at play. As one of my respondent Rajiv Khambu humorously mentioned: 'those who fail to become sepoy (an army job) seek solace in becoming security guards



(security personnels)<sup>32</sup> Being imagined to be a ‘martial race’ in South Asia from Ranjit Singh through the British, the Gorkhas and the larger Nepali speaking people have likened to imagine themselves historically, socially and culturally to be a ‘Masculinized Military People’. Thus, being a ‘sepoy’, serving in the army, or providing security of anykind feeds into the imagery of a ‘*brave Gorkha*’ and the residual ‘military sensibilities’ of the people.

## 2. Security Guards- Darwans to Ushers: “Jaagte Raho”

The issues surrounding the notion of security and the social imaginaries at play around the construction of a ‘darwan’ is one of the most sensitive issues for the Nepali speaking community. The Nepali speaking community as a ‘Gorkha’ has relentlessly manouvered their community position trying to break the stereotypification of the Gorkha as a ‘Darwan’. Nevertheless, the community continues to face the stereotypification of a ‘darwan’ in a black ‘Gorkha topi’, khaki uniform complete with a ‘Khukri’ and speaking in pidgin ‘Hindi’, ‘Bangla’ or any other Indian language/dialect. It is interesting to observe that though the construction of a ‘Darwan’ prickles the community self-imaginaries of Gorkha, the same job if done abroad say in Dubai seems to be less painful an experience. The advertisements in local dailies such as *Himalay Darpan* splashes employment opportunities abroad for young men from the region and belonging to the particular linguistic community almost daily.

The exact number of men opting to move abroad to work as security personnel from the region is difficult to chart with precision for multiple factors. First, because of the contractual nature of the job that these men engage in, in most cases neither the individuals nor the recruiting agency wanted to disclose the exact numbers. Second, because of ‘non-disclosure of the nature of the job’ that is, most men who were actually working as security personnel only casually mentioned that they were working in Malls in Dubai.<sup>33</sup> It was only through their friends or acquaintances (also working in Dubai or elsewhere) that I came to know that these young men were working as security personnels. Providing security, being constantly at guard, being alert at the cost of losing one’s sleep (i.e., *Jaagte Raho*) has become normalized and treated as *fait accompli* by the community as evident from Rajiv Khambu’s<sup>34</sup> interview mentioned in the previous section.



Pic: *Himalay Darpan*, 'Golden Opportunity Employment in Dubai.' Wanted by Semi-Govt. Organization. Male Candidates for security Personnel. Vol. XIII, Issue 351, *Kalebud Darpan*.p.10, Siliguri, 4 July Saturday, 2015

### 3. 'Bhariya', 'Namley', 'Coolie': Coolie Migrant Labour<sup>35</sup>

The term coolie refers to a group of mostly unskilled, indentured, manual labourers from various parts of Asia during the 19<sup>th</sup> century to the early 20<sup>th</sup> century, around the age of colonialism. The word coolie can be traced back to the Urdu word 'quli', which means 'day labourer' or the Hindi word 'Coolie' or Bengali word 'Kuli' meaning slave, which is possibly influenced by the Turkish word 'qul', also meaning slave. The term coolie was applied to workers from Asia, especially those who were sent abroad to most of the Americas, to Oceania and the Pacific Islands, and to Africa especially South Africa and Mauritius.

The present study found that the Porters ("Coolies") and water carriers locally referred to as '*bhariya*', '*namley*' '*bharibokney*' in most cases hail from Nepal and Indo-Nepal border areas. The case of the 'Bhariya' forms an interesting study of immigrations to the hills of Darjeeling from the porous borders. Few of the coolies claimed to have been working as porters for over five generations. They work as construction workers, some carry house hold grocery or monthly ration ("Sauda"), gas cylinders, luggage form the railway station or the motor stands or bus stand. The coolies live in shanties with very poor sanitary arrangements and they relied on Public toilets maintained by Darjeeling Municipality. With the resurgence of the Gorkhaland movement and the frequent strikes (bandhs) the porters have been hard hit.

41 year old Man Bahadur Tamang<sup>36</sup> from Charali, Nepal has been working as a construction coolie since the early 90s. Currently he is a regular

coolie at Nivesh Hardware, Singamari. He earns about rupees 400 a day during peak season. His father was also a porter back in Nepal. He has a wife and two kids to support. His son studies at RKSP School and his daughter in St. Teresa's School. Man Bahadur says that 'he had no option but to become a 'Bhariya' as he had almost no education'. 'Life in Nepal was tough and the problems of unemployment compelled him to move to Darjeeling with his wife and infant son back in the 90s'. 'Darjeeling provided him more prospects in terms of jobs- working in construction sites, grocery stores, water carriers, transport line coolie job etc.' 'Also earning in Indian Rupee was always more satisfying than earning in Nepali currency. The conversion rates provided him and his family greater profits'. Man Bahadur Tamang interestingly has managed to get a ration card for his family and also LPG connection. 17 year old Sisir Gurung<sup>37</sup> also from Nepal has been working as a porter since the age of 14. He lives with his mother who works as a maid in the nearby houses of Singtam Phatak and Singamari. Sisir says that 'he earns rupees 300 a day and mentioned that he had collected enough money to buy the latest gadgets, Colour TV, DVD etc.' Sisir mentioned that 'his mother Malati Gurung has managed to get a LPG connection and ration cards. He mentioned that his mother works as maid in 5 houses in neighbouring areas and earns rupees 750- 1000 per household. Also his mother has managed to invest in a small plot of land close to Mount Hermon School below Singamari.' Sisir says 'he is thankful that his mother's investment of time and regular participation in the GJMM Juloos/Andolan and the Nari Morcha has earned his family good dividends in the form of a landholding.'

The case of 68 year old Lok Kumar Chettri from Nepal is another interesting story of a coolie's life in Darjeeling. Lok Kumar Chettri has been working as a collie in Darjeeling since the age of 13. He earns about rupees 450 a day during season. He is also a regular coolie at Nivesh Hardware, Singamari. Lok Kumar lives in a small wooden house in Ranibun, Singamari with his wife and a son and daughter. His son works as a kitchen staff at North Point School and daughter studies at St. Michael's School. He says that 'though he does not earn much he has managed to educate his children and provide them with English education so that they can fend for themselves'. Lok Kumar says that 'he does not want his children to follow his footsteps'. He says, 'Life as a coolie has been tough and health wise even more, he complains of backache and knee problems'.

50 year old Sita Chettri case is one of perennial struggle. Sita came to Darjeeling with her husband from Western Nepal in search of economic security. Having lost her husband at an early age she has been working as a coolie since the early 90s. Sita's husband was 32 years old when he died. She took to the job of a porter after the death of her husband who also was a porter. She lives with her 5 sons below railway station. She managed to educate all her children and even sent one of her sons to the reputed St. Joseph's College for graduation.<sup>38</sup> Sita is a popular coolie face in Railway station and has managed to break the caste-class barrier as she belongs to a higher caste group and yet makes a living as a porter. Sita says, she is 'looking forward to see her son graduate and get a job for himself'.<sup>39</sup> One of her five

sons managed to get a job abroad and is financially supporting her. Sita's case shows the never ending web of migrations and labour dynamics operating in the region. She lived as a first mover in Darjeeling, and now her sons are following her footsteps as migrant labourers outside South Asia.

The case of 52 year old Nima Sherpa<sup>40</sup> is another story of cross border movement of labour force. Nima has been working as a porter in Darjeeling Railway station since 1989. He comes from a small village in Nepal named 'Dhankuta'. He initially worked as a construction coolie in Sikkim and thereafter moved to Sukhiaphokhri and then to Darjeeling. He earns 150 a day. He lives alone in a single room paying rupees 200 a month. Nima spends parts of his earning on gambling and drinks. Nima's case speaks of multiple migrations and inter-state and intra state migrations operating within Indo-Nepal borders.

Like Sita another old granny locally called 'Boju'<sup>41</sup> is a 60 year old woman coolie operating in Beechgully, Darjeeling. 'Boju' mentioned that she came to Darjeeling as a young married girl with her husband from Nepal and has been ever since engaged in porting. Her entire family is engaged in coolie work. Her only son has also taken to the work of a coolie. 'Boju' mentioned that she sometimes visits her village in Nepal which is a good two days walk from Kathmandu. At 60 'Boju' carries grocery items, sacks of potatoes and even gas cylinders with the help of her 'Namlo' (bamboo basket).

55 year old Phurba Tamang<sup>42</sup> is a local coolie from Darjeeling. Phurba has been working as a porter at M.R. Shop Singamari for 30 years. He became a porter as he found it to be the best job for him. Phurba says 'not many local coolies operate in Darjeeling as because socially the job of a bhariya is looked down upon by the locals in Darjeeling'. Like Phurba 44 year old Chyangba Tamang<sup>43</sup> is also a local coolie and comes from a small village near Sandakphu. Chyangba has been working as a porter at Lakshmi Bhandar, Beechgully. He has two sons studying in class ten and twelve in RKSP School. Most of the coolies interviewed mentioned health related problems such as backache, joint pains etc. Tuberculosis (TB) was one of major health problem faced by them. Also many mentioned that they were addicted to pan, gutka, bidi, and raksi/jaar (local rice/ millet beer). Sanitation, housing and water were other problems mentioned by the coolies. There exists another side of coolie, porter life which must find a space in documentation of the coolie labourers of Darjeeling. A substantial number of young coolie men join the Trek and Mountaineering expeditions organised by the Himalayan Mountaineering Institute (HMI) or other tours and trek operators as coolie or porters. During season many young coolies give their services to the foreign tourists and also the Indian adventure tourists scaling the base camps and peaks of the Himalayas. Maney Bahadur mentioned that 'we (porters) carry the heavy bag packs of the foreign tourists to base camps so that the tourist can have an experience of trekking through the mountains without the burden of carry the load'. 'I prefer carrying the load in these expeditions as I get paid well and also the foreign tourists at the end of the trek/expedition often tip me in dollars'.<sup>44</sup> The nature of the work done by the coolie is rather diverse and seasonal variations exist. Variations also exist in terms of gender and age. Sometimes

these Coolies also work as water carriers in the early hours of the day delivering water gallons to households in areas where water trucks are not accessible.<sup>45</sup> Similarly the women coolies can be found cleaning utensils, and picking plates at marriage venues or last rites ceremonies. The women coolies performing such tasks come mostly from the Thami community (a reserved/backward community) and are referred to as 'Thamini'. Women coolies from other communities are seldom found performing such tasks. Here we observe strict codes of caste/tribe, community, and gender functioning even among the coolies. Man Bahadur Tamang's statement 'the more you carry, the more you earn'<sup>46</sup> best reflects the social imaginaries at play among this group in focus.

#### 4. Domestic Outsourcing: 'Saving there, Spending at 'Home'

Domestic outsourcing just as a career in the Army (Indian and British Army) has been one of the prominent trends of outmigration in Darjeeling.<sup>47</sup> With changed times this mode of outmigration was replaced substantially by 'Domestic outsourcing'. Domestic outsourcing as a trend cuts across the hills-plains community divide. The employment opportunity in urban centres within India and abroad has played a role of pull factor for this kind of outmigration. Domestic outsourcing precedes the call centre phenomenon. The local dailies are splashed with attractive sounding job opportunities in big cities and abroad:

*'Sunolo Mauka: Hongkong-Singapore Domestic Helper wa kamgarneichuk mahilabaru ko lagi Training shurubhairebe cha. Singapore experience laichaneimankadeicha. Contact for more details: Darjeeling Gurkha Domestic Vocational Training, Mall Road, Chowrasta, Darjeeling.'*<sup>48</sup>

(*'Golden Opportunity: Seeking females for domestic helpers and workers in Hongkong-Singapore, Training going on. People with past experience in Singapore preferred. Contact for more details: Darjeeling Gurkha Domestic Vocational Training, Mall Road, Chowrasta, Darjeeling.'*)

Most of these advertisements target the semi-educated male and female and offer jobs for baby sitters, domestic help, Helpers in hotels, 'momo makers' etc. Domestic outsourcing has been and continues to be one of the more popular modes of outmigration in Darjeeling with almost every household having somebody or a close relative in Bangalore, Delhi, Kolkata, Mumbai or abroad in places like Singapore, Bangkok, Dubai etc., working as a domestic support.

Domestic workers are alternately referred to as nannies/housekeepers, breadwinner maids, foreign domestics, or, in relation to their status as mothers, remote mothers, substitute mothers, mobile mothers, transnational mothers, migrant mothers, or mother-domestics. Interestingly there is a feminisation of the work or labour in the trend of domestic outsourcing. For instance, the following advertisement reads:

*'Urgent Required For Kuwait. Job: Male House Maid. Required: 50 candidates. Location: Various in Kuwait. Salary: 90 Kuwait 'Dinars'. Food provided by employer. Accommodation provided by employer. Air Ticket provided by employer. Leave and Holiday as per Labour Law. Required*

documents: 1. Passport colour scan copy front-last page; 2. One colour photo white background; 3. Medical Report.<sup>49</sup>

The job description as ‘Male House Maid’ though very common and often overlooked as typographical error, the description has strong underpinnings of patriarchal norms intertwined in it. The domesticity of the job calls for the domestication of the work force itself according to the dictates of patriarchy in a given situation. For instance, few of my interviewees both female and male mentioned that, ‘the male members expected the domestic helpers to agree to the terms and conditions laid down by the father figure in the household.’<sup>50</sup> In other words patriarchy replicated and manifested itself even for the domestic helpers in an alien land. Sawan Bahadur<sup>51</sup> for instance, mentioned that he had to do household work in a Sheikh’s house and there were other ‘male house maids’ from Malaysia and Philippines. Sawan felt that his mongoloid features gave him an edge over others, ‘the Sheikh’s like clean shaved, hairless domestic helpers’. Sawan mentioned that his Sheikh was affluent and provided the domestic helpers with twin sharing room. Sawan mentioned that his friends from Darjeeling who had joined various households in Dubai were less fortunate and their mobility was restricted. Though initially they were promised return air tickets on holidays this was not as easy as mentioned in the newspaper advertisement and as promised by the recruiting agency back in Darjeeling, India.

Regardless which terms are used by academics, states, recruitment agencies, employers, or the workers themselves, and regardless of often tremendous cultural differences and geographical distances between sending and receiving countries, the capitalist-patriarchal underbelly provides the connective tissue of all—paid or unpaid—versions of similar kinds of labour. This labour has always supported a capitalist “interior infrastructure” of service and servitude, one that now has gone global.<sup>52</sup> Moreover, foreign domestics are aliens from a different culture whose citizenship status marks and regulates them as bonded or enslaved labourers desperate enough to put up with any kind of abuse.<sup>53</sup>

There exists a reverse flow of domestic insourcing from the tea garden areas of the Dooars into the houses of Darjeeling hills. Young girls from the tea gardens of the Dooars and as far as Assam can be seen working as maids and domestic help and also baby sitting in many houses of Nepali speaking communities in Darjeeling hills. The social imaginary of the hardworking, sturdy ‘*Kali Ket?* (Black girl) looms large in the everyday life of the hill people so much so that having a ‘*Kali Ket?* is seen as a status symbol among the Nepali speaking community. One can hear conversation revolving around the ‘amount of work that a single ‘*Kali Ket?* can do as compared to local Nepali Speaking maids’. There is a tendency to beastify the ‘*Kali Ket?* as a beast of burden- hardworking, sturdy, submissive and non-argumentative. In most cases these young girls are as young as 8 years old. Having been either sold off by their families or relatives to meet financial needs back at home or been sent ‘to earn for those back at home’, these young girls remain entrapped for life. In rural agricultural areas of Kalimpong such as Bom Busty one can find even young boys from the Dooars and Assam living lives as domestic

help. Popularly referred to as '*Kali Ket?*' (Black girl) or '*Kale Keta*' (Black boy) by the Nepali community, these are in most cases tribals from the Dooars and Assam, mostly Santhals. The families provide them food and lodging, clothing and also school education. Urmila Topno<sup>54</sup> a 10 year old from Barpeta (Assam) has been working in the Chettri household as a domestic help for the past one year. Her parents sent her to work in Bom Busty, Kalimpong and also educate herself. She says, she finds the place (Kalimpong) rather cold but she enjoys going to school. She has already picked up good hold over spoken Nepali. She had to repeat the fourth standard in a nearby school as she was weak in English and Nepali language. With an everlasting smile on her face Urmila obediently cleans the dishes, feeds the pets in the Chettri household oblivious of her situation as a migrant child labour. The male head of Chettri house hold mentioned that Urmila's family condition was very difficult ever since the ethnic out-lash between the Bodos and the outsiders especially the tribals (Santhals in most cases) in the tea gardens occurred few years back. Urmila's family found it suitable to send her to be a domestic help so that she could send some money back at home in Barpeta where she has 3 more siblings. Mrs. Chettri says 'Urmila is happy here, she gets to eat good food, wear good clothes and also go to school while learning to do household work'. Mrs. Chettri also mentions that she intends to get Urmila's eight year old younger brother from Assam (Barpeta). 'We need a male help to assist the work in the farm'. Her brother will be apt to do the work in the farm- clean the cowshed, weed the farm, feed the chickens etc.'

Like Urmila, 12 year old Charu<sup>55</sup> has been working as a domestic help in Bom Busty, Kalimpong for the past 3 years. Charu had come to Kalimpong from Jalpaiguri where she was working in another Nepali speaking household. Her parents and sisters live in Jaigoan. Charu says she likes working in Kalimpong and enjoys it more as her brother also works in the same household. She studies in class five and helps out with the domestic work and fetches the little kids (two 8 year olds) from school. Her 14 year old brother Vijay goes to school and helps out with the farm work. The head of the Subedi family mentioned that 'the kids a rather hardworking and have adjusted to Kalimpong. They are obedient and parts of their earnings are regularly sent to their parents in Jaigoan.' Mrs. Subedi says, 'we intend to raise them as adults and arrange for their marriage when time comes'. 'The previous '*Kali Ket?*' stayed with us for 17 years. We had got her marriage fixed with a tribal (santhal) boy from Kalchini. In fact she was the one who got us Charu and Vijay'. Vijay mentioned that coping with Nepali language was difficult. He mentioned that his classmates make fun of his Nepali. Recalling his brief stay in Assam, Vijay says: '*udhar (Assam) school mein Nepali bacchon ko chidhate they 'Pa li? Ne pali?, yahan mujhe chidhate hai 'Kale santhali'*' (back in Assam we use to tease Nepali kids as 'Pa li? Ne pali' (in Assamese: did you find anything, no nothing), here I get teased as 'Black Santhali'.<sup>56</sup>

11 year old Pramila<sup>57</sup> has been working in the Kalikotey household in railway station, Darjeeling since the time she was a little over 7 years. Her aunt had fixed her work in the Kalikotey household and since then she has been working in Darjeeling. Her family lives in Naxalbari. Pramila does not study as

she could not cope with the pace of teaching and failed thrice in class 1. Repeating the same class thrice made her opt out of school. She sends regular money to her family.

The case of domestic insourcing in Darjeeling signals larger issues of child labour, missing children, missing girls/women from tea gardens, bank transfer economies or ghost earners back at home. Seldom do these insourced domestic helpers make a head way back to their families or their 'home' villages, in most cases they become part of the never ending mobile workers fleeing from one house hold in one town to another and sending remittances to either parental families at home or to their husband's homes. Their absence from their 'home' villages are seldom reported and are often underplayed by families and relatives directly benefitting from their 'outmigration'. Their absence is substituted by the remittance that they send back, and my understanding is that these cases are reported only when there is a break or an end in the flow of remittance. The missing diaries are an outcome of missing remittances.

### 5. Balason Labour Migrants<sup>58</sup>: Territoriality of Power and the Corporeality of Territory

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Area of the study:

Purbonangia, Sishabari

Matigara Block, Atharokhai Panchayat

Total number of families: 347

Origin of Families: Bangladesh, Dhubri, Assam; Bihar, Nepal

Distance between community centre: 10 kms

Closest distance from Government Primary School: 0.3 kms

Nearest PHC: 2 kms

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The case of stone crushers in the basin of the Balason river is an interesting case of migrations. The *patthar*, *rora*, and sand collectors, living in the Balason basin engage indirectly with the 'sand mafia' network in the region. The stone crushers are paid rupees 500 per 50 cft of sand. The able bodied elderly (male and female), the housewives and often children as young as 6 year olds are engaged in stone crushing.

Balason river flows through north-west of Siliguri. The river is vast and swells up during monsoon. Around 3000 individuals are engaged in stone breaking and collecting sand. The stone breakers are mostly women and children. Most of them live in thatched houses and very few have mud houses with tin roof. Sanitation is a major problem. Most of the stone breakers are migrants from neighbouring states and across the international border. Though the elderly men and women are also engaged in stone crushing activity, the younger men and girls outnumber them as it requires more physical energy.

The Balason river sand collection belt around Matigara has a mixed population- Hindus, Muslims, Biharis, Adivashis and Nepalis. Interestingly the river belt is zoned into territories. Below the river bridge on both sides reside



the Hindus. The Muslims occupy the banks far below the river bridge on the right as one approaches the Balason bridge from Shivmandir-Bagdogra. The Adivasis and the Nepalis occupy up stream in areas such as Sishabari. The activities are high during the winters till April, and also during the monsoon when the river is fed by the monsoon.

Few of the workers had enrolled their children in neighbouring colleges and during their free time these college students would engage in sand collection following their 'family work/job/ occupational trends'. Those interviewed in 2015 informed me that they engaged in sand collection mostly on part time basis.

The truck drivers and the loading labourers are mostly Bihari while owners of the trucks and the in-charge are mostly Sikhs, and Marwari. Matigara area thus is a highly cosmopolitan area in terms of the mixed nature of its habitants. The territory is thus marked by multiple contesting power hierarchies where each is territorially zoned into an area and the corporeal activities of its residents (permanent as well as flitting) affect the corporeality of the Balason basin.



Source: Author



Source: Author



Source: Author



Source: Author



Source: Author

The area also has a large number of shanties doubling as temporary offices and sand dealers offices, garage; also the overnight red light or the randi bazaar (prostitute market) component. Many residents of the Balason

river belt serve as migrants work force in metropole cities and connector business centers, the area thus serves as feeder links in the great migratory chain from Bengal to elsewhere.

The case of Pradip Pal, the Kumhar turned pot/clay seller cum 'nurserywala' in Goa.<sup>59</sup> 34 year old Pradip belongs to the Kumhar caste and traditionally his community engages in pottery and pot and brick making. He moved to Goa two year back, before that he was based in Bhopal selling earthenware, pots etc which he had made in Balason, Matigara area. His family has been living in Balason for over 40 years. He mentioned that hundreds of young men from his community have migrated to big cities (mostly outside West Bengal) selling earthen ware locally made in Matigara. Pradip mentioned that during season he like the rest of the people living along the river engage in sand collection or stone crushing; and during lean season move to big cities to sell earthen ware. He has a wife and three children. His family makes a living out of the Balason's resources.

The case of Subhankar Karmakar and his sister<sup>60</sup>. Subhankar Karmakar a 22 year old 1<sup>st</sup> year B.Com students of Bagdogra College and his sister a 2<sup>nd</sup> year B.Com student at Siliguri College both double their lives as young educated students and part time workers making pocket money out of the Balason river bed. His sister gives tuitions to school students to meet the ends of the family and both the siblings engage in sand collection for pocket money. Every evening after college the siblings engage in sand collection, and cleaning the sand and piling them in sacks to be supplied to the sand collectors. For 50 cft they get rupees 500. 'It is a hard task' says, Subhankar. Subhankar mentioned that his uncles and near male relatives have migrated on seasonal basis to Delhi, Meerut and adjoining areas to work as construction labourers, and the women from the area often work as maids in households in Matigara and Shivmandir.

*The case of Anima Roy*<sup>61</sup> a 32 year old resident of Kuchumunijote. She engages in stone crushing and earns rupees 400 per week. Her husband is a van puller and she has four children. Anima has joined a SHG in the area and taken loan from the corporative to open a petty shop. She continues to be a stone crusher even after opening a shop for herself.

*The case of Bonali*<sup>62</sup> a 66 year old Bonali came to India as a young girl from Bangladesh. Initially she and her parents settled in Bhojpore where she got married following the death of her parents. She delivered a baby soon after and moved to Delhi with her husband who was a construction labourer. In 2000 her husband died of an accidental fall from a five storey building and she moved back to North Bengal. She intended to go back to Bangladesh but she could not as she was denied the right to cross the borders by the BSF. Three of her sons got jobs in the illegal sand mining activities in the Balason river belt, they were also give shelter by the local goon who acted as the sand collector. The illegal shanty became her 'home' since then. Bonali 'laments the loss of her 30 bighas of land and her ancestral home in Bangladesh'. She engages in stone crushing all day long and earns 400 rupees a week which adds to the family resource pool.

*The case of Meera Mondol*<sup>63</sup> a 9 year old girl staying with her grandparents in the Balason basin. Meera engages in stone crushing during her spare time. She studies in class four in a nearby government school. Meera earns 200 a week for stone crushing, she is one among the many children engaged in stone crushing activity in the Balason river belt. The residents of the Balason continue to live amidst stiff multiversal challenges from urbanisation waves in Siliguri (such as growth of gated highrises, condominiums, Malls etc.), to the 'sand mafia', to the flitting administrative drive to sanitize the area of its shanties and illegal occupants and the like. The social imaginaries of this group seemed to be best reflected through Pradip Pal's statement: 'The Balason is our life.'<sup>64</sup>

## 6. Call Centres: Working in anonymity, Leading 'double lives'

Thomas Friedman in *The World is Flat* (2005) speculates upon the rapidly shrinking and flattening globe.<sup>65</sup> Friedman considers call centre in the high-tech city of Bangalore as emblematic of a major shift in global economic processes. According to Friedman, India—once the 'land of jewels' but now hindered by symptoms of third-worldness—was experiencing a kind of renaissance, which was bringing the nation onto 'the same level playing field' as other global giants. The way in which global economic processes have been entirely transformed is expressed by Friedman in the language of geography: the world has essentially been 'flattened'.<sup>66</sup>

Post-1990s semi-professional and semi-skilled persons from the region became prospective candidates for private companies, Business Process Outsourcing (BPO) etc.<sup>67</sup>

BPOs, private companies have opened doors for skilled and semi-skilled people from North East India. Local dailies carry advertisements for opening in BPOs on a regular basis:

Required, 180 Male/Female Customer Care Associate for Kolkata Call-Centre, MTN 1, 56000 salary package along with huge incentive. Qualification Min. HS pass or above. Selection & offer letter. Interview: Siliguri 27.06.2011.<sup>68</sup>

Madhu Chandra's study *Briefing: A Research Report-North East Migration and Challenges in National Capital Cities* (2011) mentions that 33.65 per cent of migrants from North East India choose to work in BPO private companies in Delhi and NCR.<sup>69</sup> The dramatic growth of the call centre industry is a worldwide phenomenon, fuelled by advances in information technologies and the precipitous decline in the costs of voice and data transmission over the last two decades. As part of this global industry, call centres in India have experienced spectacular growth and mutations in the last few years.<sup>70</sup>

Darjeeling with prominent English medium educational institutions has become the ready reservoir for young work force for the BPO boom in India. Most youngsters whom I interviewed mentioned that their proficiency in English along with external appearances helped them cut an edge over others in the job market.<sup>71</sup> However, call centres in India differ in terms of recruitment procedure, pay scale policy and retirement/ termination

regulations.<sup>72</sup> The problems of Indian workers in these private companies is further enhanced by the doubling effect of lack of regulations to protect BPO company workers' rights and emotional support<sup>73</sup> and most of the companies relies on their self made regulations, which are more of international nature.<sup>74</sup> Most youngsters whom I interviewed mentioned that their proficiency in English along with external appearances helped them cut an edge over others in the job market.<sup>75</sup> They also mentioned that 'leading dual lives in the literal sense was emotionally exasperating and also the work schedule and the new lifestyle that the job introduced them to were taking a toll on their lives. They liked living in metropolitan centres and loved every aspect of fast life and the glitters of the malls and the shopping complexes but at the same time they were well aware of the fact that every bit of it was momentary and that the fear of the 'pink slip' always haunted them. Also the economic remittance was miniscule and almost negligible.' These youngsters also realized that they could not adjust to life back in Darjeeling and that they could at best stay back in Siliguri and enjoy the night life. Thus, working in anonymity and leading 'double lives' becomes a part of the exercise of *wayfinding* in newer, or alien territories.

### 7. Studying in 'Big cities': Insatiable outside, Disgruntled at 'Home'

'Moving out' to pursue higher education has become a popular trend of outmigration in the hills of Darjeeling. The political instability is largely held responsible for this form of migrations and many of my respondents even clubbed it as a kind of 'forced migration'. This trend is of education migration strongly challenges the more prominent imageries of Darjeeling hills as an educational hub since the colonial days. An interesting intervention is the colonial imagery of the hill station of Darjeeling as an educational hub. Purna Lama<sup>76</sup> says, she does not want to come back to Darjeeling, 'it's dead in Darjeeling, no intellectual space'... 'There is nothing worth living here (*yehan kehi chaina*) in Darjeeling, there is no life...life is too slow'. Lucky Lama<sup>77</sup>, 'life in Delhi is tough but I prefer to live out here, I cannot tolerate the strikes and political instability in the hills'.

Sushant Rai<sup>78</sup> says, 'preparing from Darjeeling for competitive examinations is difficult. The Libraries are not updated, they open for very limited time, also the staff in the Deshbandhu Library is rather non supportive. The only working library space is the one in CICAC, Red Cross Building and even that has strange timings. It opens at 11 am and closes at 3 pm, the books are not open stacked and it is closed on Saturdays and Sundays. So when can students preparing for civils avail the library facilities in the hills? We need updated modern libraries with more timings for reading. I would rather stay away from Darjeeling till the time I clear the civils'. Similarly Reshma Gurung<sup>79</sup>, mentioned 'I had to study in Shantiniketan as I wanted to pursue masters in Social Work. I want to be a social worker and serve my community back in Darjeeling Hills.'

The students moving out from the hills of Darjeeling seem to be pulled apart by constricting callings very aptly summed up by the response of one of the youths - 'There is nothing worth living ('yehan kehi chaina') in Darjeeling, there is no life...life is too slow'. ...'when in delhi 'uff so much pollution, so much crowd...wants to go back to darj...'

Many elderly also seconded the opinions presented by the youngsters that it is wise to move out of Darjeeling. Mr Moktan<sup>80</sup> mentioned that he wanted his daughter to study in Delhi as it was more secure in terms of education and citing the instance of political instability he opted to have his daughter admitted in a college in Delhi. Mr. Moktan said that 'Bimal Gurung has asked students from the hills to give-up a year or two for the cause of Gorkhaland but he has sent his children elsewhere for education...local leaders ask the youths to sacrifice a year or two and join the movement but they themselves secure the future of their (politicians) children by sending them to secure places and providing them the best of education'.

Mrs. Pradhan<sup>81</sup> also expressed similar concerns, following the restive in the second generation Gorkhaland movement, Mrs. Pradhan said, 'I will not make the mistake of asking my daughter to continue her education in Darjeeling, I will send her to some big city either Kolkata or Delhi, the sporadic strikes and 'juloos' are taking a toll on education in the hills'.

Miss X<sup>82</sup>said, 'never in my 30 years of experience in education did I come across a situation where students and schools were so severely hit by political instability'. 'The schools are facing a near closure situation, admissions to schools like Mount Hermon is dwindling and students from Bangladesh, Bhutan and adjoining North Eastern states are opting for newer public schools with better amenities in Siliguri. Also, hill students are seeking admissions in schools in Siliguri'.

The elderly respondents voiced their concerns about the reverse flow of students from hills to plains. This trend they felt was a breaking the colonial image of Darjeeling or the 'hills' as a bastion of educational activities and boarding schools. They lamented the loss of the boarding school culture and Missionary hold over education and very critically voiced their concerns over the commercialization-privatization of education and schools.

As compared to the above varieties of out migrations or trends in 'moving out', this variety of 'moving out' does not have the flow of remittance back home. This is more so because the students, learners are financed by their parents or families and even if they enjoy the benefits of state sponsored fellowships etc., the amount is barely sufficient for the individual student/learner.

The leadership demanding the separate state of Gorkhaland has been very vocal about the strength of the potential of its 'English speaking manpower' which can be an asset for manning the proposed new state. However, what comes as a stumbling block is that the projected asset is first very small; second the 'asset' is inclined to move elsewhere to call centres in the metropolises or as staff support and help desk in the middle east; third, a new state requires manpower in terms of bureaucracy, police etc., which to be manned require qualified persons screened through competitive examinations,

interviews and trainings. Many respondents said that 'once the new state is achieved the outsiders namely the Bengali will move out'. For example, 'Bengali teachers in colleges will opt out or ousted to West Bengal and the vacant teaching positions will be taken over by locals'. Very true and supposedly ideal what goes amiss in this framework is that these teaching jobs have to be qualified with the requisite qualification and degree, such as UGC-NET (CBSE NET), without which the local candidate would not be able to enter into the vacant posts. And with the leadership publicly calling and egging the youths to be ready to sacrifice their precious years in the way of boycott of examinations, closure of colleges and educational institutes at the drop of a hat, and compulsory participation of the youths most of whom are students (under aged) in rallies etc., the possibility of building manpower for the proposed state and a futuristic vision remains largely disconnected.

### 8. Rag Pickers and Recyclers, Beggars and Squatters

Rag Pickers (*Bikriwala*) popularly referred as '*bik*', '*tik*', '*ek*' are again undoubtedly non- native Nepali speaking community in Darjeeling hills. Many of these rag pickers are indirectly into recycling. They collect disposables from various house holds, peddling in used ironware, tin sheets, newspapers, plastic bottles, glass bottles, empty/used liquor bottles etc. They supply these used collectibles to agents in Siliguri. They are an important link in the chain of disposal of waste and recycling of used items.

In most cases these *bikriwalas* come from Kishenganj, Bihar and adjoining areas. A good number of them are Muslims and are multilingual speaking Bengali, Surjapuri, Bihari, Nepali, Hindi. Though permanently placed in Darjeeling hills these rag pickers perform different work at seasonal intervals. For instance, following the end of monsoon these rag pickers often join the labour force working at road construction sites. Suleman<sup>83</sup> (aged 40) a rag picker from Kishenganj working in Darjeeling town mentioned that his family lives below Butcher Busty and he works as a road construction labourer at the end of monsoon while his family members replace his work as *bikriwala* during that season. Suleman also mentioned that his wife and younger children and other relatives squat on the road uphill to Mahakal mandir and beg for alms from visiting devotees during the morning hours. His daughter Khalida collects and picks used bottles, plastics etc from the Mall road and adjoining areas. Monirul<sup>84</sup> (aged 32) another rag picker living in Butcher Busty, Darjeeling mentioned that he had come from the slum beyond New Jalpaiguri Station. Monirul mentioned that he had come to Darjeeling in 2005 and seeing him his two cousins followed him to join his work.

The amount of waste generated from households in Darjeeling is usually large. And various factors can be cited for this. First, the climatic conditions results in faster food rot; second, paper bags, cartons, cardboards do not last for long and have to be replaced at a quicker interval; third, higher intake of alcohol and liquor naturally means more piling of used glass bottles, plastic bottles etc. This being the case, rag picking is supposedly an enterprising business which involves less investment but higher returns.



In most cases, the rag pickers collect items without proper weighing machines or 'pallas', in fact most just rely on average assumptions paying as less as rupees 3 for a kilo of items or sometimes even collecting items for free. Like in other cases of migrations even in the case of rag picking we can observe the pull factor and the role played by community and kinship network in operation.

### **9. Health Migrations from Hills to Plains, from Plains to Elsewhere: Glimpse of Care Industry in Darjeeling**

North Bengal is of immense geo-political significance since it is situated in the proximity of international borders. The population dynamics and the transit importance of the region has converted it into an attractive zone for investment by private business houses and corporate giants especially in the sector of health. Settlements, townships, cities as lived spaces have been in a continual process of becoming i.e., the landscape in that sense is constantly changing vertically and horizontally. The project of urbanisation in specific is multifaceted and has several marked signposts. For instance, high flow of migrant people (as labourers, work force, settlers, tourists, transit persons etc.); rapid changes in landscape, land-man pressure, issues related to resource and commons, issues related to development and sustainability, greater mobility of goods (material, non-material), people etc., through better roads, telecommunications etc., in short better connectivity and the list goes on and on. North Bengal like other regions is confronted with 'development-sustainability' dilemma.

The politics of development and backwardness needs to take into account the largely ignored aspects of development and their targets in ground zero which can be best summed up by the casual yet very difficult question 'whose development?' The bulk of the concerns that propels the investigation in this sub-section revolve around: What are the social imaginaries of health at play? What is the mark left by the colonial experience in this construction and perception of health, medicalization, sanitation and well-being? Why do people move at the first place and what compels them to move? What are the marked signposts in health migrations? What and which group resort to such practices for treatment and does such mobility cut across gender? Is the trend in health seeking behaviour on the rise? What are the specialization and health problems that attract such movements? What is the effect of media and advertisement on the same? What are the finance implications of such movement of people does it entail out of pocket expenses or health investment/ medical insurances or both? How have the trends in health migrations affected the spaces (in terms of infrastructure and civic amenities etc.) where such facilities/expertise is located? How has the local community in such health towns/ health cities/ health "villages" and also the flow of myriad hues of associated people with health practices and support systems negotiated their role/spaces within the same? What is the nature of the economics at play in such health townships and its correlation to health trends and practices?

'Health does not rest in the dichotomy of absolute health vs. absolute illness; rather in the health- ill-health continuum'.<sup>85</sup> Rather human aging is to be understood as complex, cumulative time related psycho- biological process of deterioration occurring in the post development phase (growth) of life.<sup>86</sup> Interestingly biological aging does not strictly follow the chronological age. It may begin long before and individual reaches in his final stage of life-cycle. It is true that in old age people do suffer from multiple disorders. Nevertheless, old age should not be confused with disease or illness or infirmity. Stieglitz has aptly observed that "Any illness may occur at any stage. But certain disorders increase in frequency after the peak of maturity. These disorders, while not limited to senescent, are nevertheless characteristically geriatric."<sup>87</sup> Like any other stage of life, also in old age the health status varies from one individual to another depending on various factors. The nature of diseases in old age is more chronic and acute in terms of duration and severity. The case study found that elderly persons often suffer from multiple health problems. Prominent health problems of the elderly includes: blood pressure, arthritis, heart diseases, dental problems, diabetes, hearing impairment, spondylitis, uric acid, kidney related problems, cataract etc. On a similar note the choices for treatment and strategies to cope with the sickness do not follow a uniform pattern. They are largely conditioned by the factors like perceptions of illness of both the elderly themselves and their family members, economic condition of the sick persons' and their accessibility to medical facilities.<sup>88</sup>In this regard, it has been observed that sometimes the elderly persons do experiment with different types of treatment and switch over from one type of treatment to another, if they do not get relief from the previous. For example, 70 year old Mrs. Meera Rasaily, with rheumatism said that she was advised by her neighbour to visit a homeopath doctor. But, after taking medicine for a while, she did not get any kind of relief. Then she consulted an allopath and followed his prescription for few days, thereafter she visited a physiotherapist which gave her a great relief.<sup>89</sup>Another instance of trial an error medication is the case of 66 year old Mohan Basnet who tried homeopathy, allopathy, alternative medicine and 'Jhakri' for his prostrate problem, and finally visited an urologist and was operated under doctor's recommendation.<sup>90</sup>

The care industry in Darjeeling like in other places has strong tendencies of health migrations and these migrations are marked by a strong flow from the hill to the plains and elsewhere. Thukten<sup>91</sup>, 76 years old retired bank employee suffering from chest pain and diabetes. First he took ayurvedic based medication and relied on Baba Ramdev's medicines. Later he shifted to homeopathic medication followed by a visit to a general physician who recommended him to a heart specialist who advised him to go through a bypass surgery. He moved to Siliguri for treatment and visited North Bengal Medical, then Medica, then Neotia and later moved to Kolkata RN Tagore for treatment.

The choice of management of treatment is largely determined by a host of external opportunities and constraints. The aged often suffer from different kinds of chronic ailments for which, throughout the year, they have to spend lots of money for purchasing medicines, consulting doctors, testing,

etc. This entails out of pocket expenses and they have to adjust their life with reduce or no income due to retirement or loss of jobs. There exists a variation in the types and choices of treatment between elderly men and elderly women. In most cases elderly men fulfilled the cost of treatments from their own income while substantial sections of female elderly got financial help for treatment from their spouses and son because majority of them were economically dependents on others. Often daughters took the burden of medical expenses of their aged parents predominantly when there was no one to help them and also the economic conditions of the parents were not sound. The elderly often took loans for health treatment from local money lenders and indebted themselves in a series of financial burdens often leading them to distress sale of property and fixed assets. An interesting aspect of health care relating to the elderly in Darjeeling is the pattern of care and the agency providing care beyond the institutional hospital-nursing regime. Here we find the operation of domestic helps or maids doubling as care agency in the form of informal untrained nurses catering to the aged or the elderly who need care and support. Though not referred as 'ayahs', these domestic help in most cases are local housemaids engaging in care and support. They are cheaper than regular full time nurses but they are paid higher than regular maids. These maids often come from the tea-garden or 'kaman' (command) areas or from nearby villages and stay in Darjeeling with their family in rented rooms and educate their children in schools preferably in English medium schools while their husbands work as masons, carpenters, electricians etc.

### **Outmigration in Darjeeling Construed**

Construing the trends of outmigration in Darjeeling hills what can be accentuated is that when migration is prompted mostly by pull factors at the destination those with the requisite qualities take advantage of those factors and become the 'out-movers'. 'Outmigration' experience in Darjeeling substantiates Massey's debunking of the individualist assumptions of the most influential and widely used approach in migration, the individual cost-benefit model.<sup>92</sup> The case of 'Domestic outsourcing' in Darjeeling seems to add to Massey's arguments that social networks and the community connections have a ponderous effect on migrations and shape migration in a two steps: 1) making migration less risky for individuals by circulating information among potential migrants, and 2) feeding subsequent migration, since kinship networks allow migrants to send remittances home, making migration a viable household strategy for diversifying economic risk.

On the other, the Darjeeling experience of 'Outmigration' adds on to the understanding of the *individual cost-benefit model*<sup>93</sup> by accentuating that decisions in migration are based on the calculations of a rational individual who weighs his/her expected gains (e.g. employment or higher salary) against possible losses (e.g. deportation).<sup>94</sup> Furthermore, the trends of outmigration in Darjeeling also accentuates that outmigration from the region is influenced by the family and friends factor. In other words the threats and dangers of migration is cushioned and made bearable by a social support network in the

place of destination. People in one's network also offer needed assistance, such as helping one find a job or a place to live. This facilitates the choice to migrate, making migration progressively more likely, which is what Massey refers to as "circular and cumulative causation".<sup>95</sup> Because of this process, the profile of migrants shifts over time, from that of innovating, risk-taking youth to more typical individuals.<sup>96</sup> Just as potential migrants expect kin or friends, who have already migrated, to assist them, so households of origin expect migrants to "help out" financially, by remitting a portion of their salary. Because of these expectations, households encourage select family members to migrate.<sup>97</sup>

However, the cases of 'outmigration' in Darjeeling stand apart on the issue of remittance. While in the case of 'Domestic Outsourcing' the remittance through small flows at a regular interval through bank transactions or annual visits<sup>98</sup> in the case of the 'Call Centres' the 'money order economy' is no longer continued. Those working in 'Call Centres' find it difficult to 'send money back home' precisely because of the change in lifestyle and high cost of living in cities.<sup>99</sup> Ironically, it is the family back at 'home' that has to supply money to the youngsters working in the metropolis and sponsor their trips back home during festive seasons.<sup>100</sup>

### Some Concluding Observations

The complexities outlined in this paper, suggests that migrant networks can link economies of places of origin and destination so that they become inter-dependent. For instance, migration remittances have a strong impact upon inequality in the place of origin.<sup>101</sup> Poorly developed migrant networks from places of origin increase income inequality in the place of origin, as few households have access to migrant income. However, this may change as migrant networks grow and more people have access to similar sources of income. The possibility of inequality dissipating depends on levels of inequality between places of destination and origin, and how structures of production change. Some of the effects of this kind of difference result in privileging some households' access to land and resources, transforming egalitarian places into places where the social context is characterized by a few with economic and social power. In addition, traditional relations of production also change under some contexts. Also labour markets in the place of origin may change with increasing migration such that the outflow of migrants raises local wages to the point that wage differentials no longer provide a motivation to move. Beyond the 'economic remittance' migrations have 'social remittance' in the form of transfer home of some skills and attitudes which may support or accelerate the process of development at the home destination.<sup>102</sup>

Thus it seems crucial to reformulate and reconceptualise migration as a complex process in which economic, political, social and cultural factors work synchronously.<sup>103</sup> Concentration just on the *push or pull factors* is not just simplistic but also misleading. The decision to 'move out' is influenced by a wide range of conditions in both the sending and receiving destinations.

These conditions are not static but in a process of constant flux, linked to the global conditions and the local historical and cultural rootedness.<sup>104</sup> It is therefore, essential to analyse outmigration especially labour migration as a movement of workers propelled by the dynamics of the transnational capitalist economy which conditions both the push and pull. In other words, Migrations in Darjeeling and in specific the phenomenon of 'moving out' or 'outmigration' should be examined as subsystems of an increasingly global economic and political system.<sup>105</sup>

## Notes

<sup>1</sup>See, Cornelius Castoriadis, *The Imaginary Institution of Society*, MA: MIT University Press, 1987; Slavoj Zizek, *Looking Awry: An Introduction to Jacques Lacan Through Popular Culture*, Cambridge, MA: MIT University Press, 1991; Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, London: Verso, 1991; John Shotter, *Cultural Politics of Everyday Life: Social Construction, Rhetoric and Knowing of the Third Kind*, Buckingham: Open University Press, 1993; Arjun Appadurai, *Modernity at Large*, University of Minnesota Press, 1996; Charles Taylor, *Modern Social Imaginaries*, Duke University Press, 2004.

<sup>2</sup> Fred Pinn, *The Road Of Destiny: Darjeeling Letters 1839*, Calcutta: Oxford University Press, 1986; L.S.S. O'Malley, *Bengal District Gazetteers: Darjeeling*, New Delhi: Logos Press, 1907 (Reprint 1985); E.C. Dozey, *A Concise History Of the Darjeeling District Since 1835 With A Complete Itinerary Of Tours In Sikkim And The District*, Varanasi/Calcutta: Jetsun Publishing House, 1989; Jaya Dhamala, *Sikkim KoItibas*, Darjeeling: Shyam Prakashan, 1983; Gopal Gaule, *Bartaman Sikkim Lai Nihal-e-raHerda*, Gangtok: Nirman Prakashan, 2002.

<sup>3</sup>B. D. Sunwal, *Nepal and The East India Company*, Bombay: Asia Publishing House, 1965; B. Farwell, *Armies Of The Raj: From Mutiny to Independence (1857-1947)*, London: NA., 1989; B. Farwell, *The Gurkhas*, London: Allen Lane, 1984; E. D. Smith, *Britain's Brigade Of Gurkhas*, London: Leo Cooper, 1973.

<sup>4</sup> I acknowledge Dr. Devika Roy Lama, Associate Professor Department of History, St. Joseph's College, Darjeeling for this insight.

<sup>5</sup>The Balmiki community is an interesting case of migration into the hills of Darjeeling following the growth of Darjeeling Municipality in the 1850s. The Balmiki (Dalits) are the predominant work force of the municipal body, scavenging and managing disposal of waste. The Balmiki or the 'Sweeper Caste' (in colonial administrative parlance) over the years have been branded as the 'Jamadar' category that is the lowest in degrees of the category of the 'Others'.

<sup>6</sup> Anup Shekhar Chakraborty, "Becoming 'Local': Muslims and the Politics of the 'Local' and the 'Non-local' in Darjeeling Hills", *Refugee Watch: A South Asian Journal on Forced Migration*, Vol. 46. December, 2015, pp. 21-35.

<sup>7</sup>Charles B. Nam, *Understanding Population Change*, Itasca, IL: E.E. Peacock, 1994.

<sup>8</sup> W.G. Runciman, *Relative Deprivation & Social Justice*, Berkeley: University Of California Press, 1966; Ted Robert Gurr, *Why Men Rebel*, Princeton: Princeton University Press, 1970. Also see, Chapter 1 'Inequality & Instability' in John Rapley, *Globalization And Inequality: Neoliberalisms Downward Spiral*, New Delhi: Viva Books Pvt., Ltd., 2005.

<sup>9</sup>Myron Weiner, *Sons Of The Soil: Migration & Ethnic Conflict In India*, New Delhi: Oxford University Press, 1978.

<sup>10</sup>Samuel Huntington, *The Third Wave*, Norman: University of Oklahoma Press, 1991. For details See, S. Kuznets, *Economic Growth of Nations: Total Output and Production Structure*, Cambridge, Mass: Harvard University Press, 1971.

<sup>11</sup>Bimal Dev, Keya Sengupta and B. Datta Ray, (Ed.), *Globalization and North East India*, Shillong: Concept Publishing Company, 2008.

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<sup>13</sup>Based on *Informal Discussions* with local residents, Business families, hoteliers and hotel managers and construction workers etc., of Darjeeling (2008-2011).

<sup>14</sup>*Ibid.*

<sup>15</sup>Informal discussions and exchanges with Mann Bahadur a porter and water carrier living/working in Darjeeling for the past 20 years.

<sup>16</sup>Charles B. Nam. *Op.cit.*

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<sup>19</sup>Chapter 6, 'Migration' in Krishnan Namboodri, *A Primer Of Population Dynamics. The Plenum Series On Demographic Methods & Population Analysis*, New York: Plenum Press, 1996, pp.135-170.

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<sup>23</sup> R. Radhakrishnan (Ed.), *India Development Report 2008*, Delhi: Oxford University Press/ IGIDR, Mumbai, 2008; Government of India, *Report on Development of Northeastern Region*, New Delhi: Planning Commission, National Committee on the Development of Backward Areas, 1981; Government of India, *Executive Summary of the*

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<sup>24</sup>Anup Shekhar Chakraborty, 'Ekrupata Namkaran' and the Nepali speaking people in South Asia: The problem and challenges of finding an appropriate collective representational nomenclature. *Refugee Watch Online*, 2017. See, <https://refugeewatchonline.wordpress.com/2017/07/18/ekrupata-namkaran-and-the-nepali-speaking-people-in-south-asia-the-problem-and-challenges-fo-finding-an-appropriate-collective-representational-nomenclature/> retrieved on 17.09.2018.

<sup>25</sup>L.W. Shakespear, *History of The Assam Rifles*, Calcutta: Firma KLM Pvt. Ltd., Aizawl: Tribal Research Institute, 1927 (Reprint 1977); Sushila Tyagi, *Indo-Nepalese Relations (1858-1914)*, Delhi: D.K Publishing House, 1974; Jahar Sen, *Indo- Nepal Trade in the Nineteenth Century*, Calcutta: Firma KLM Pvt. Ltd., 1977; Richard English, *Gorkhali and Kiranti: Political Economy in the Eastern Hills of Nepal*, Ann Arbor: University microfilms International, 1983; D.K. Palit, *Sentinels of the North-East: The Assam Rifles*. New Delhi: Major General D.K Palit, 1984; Kumar Pradhan, *The Gorkha Conquests*, New Delhi: Oxford University Press, 1991; K.K. Muktan, *The Legendary Gorkhas*, Guwahati: Spectrum Publications, 2001; Lopita Nath, *The Nepalis in Assam: Ethnicity and Cross Border Movements in the North-East*, New Delhi: Minerva Associates Publication, 2003; A. C. Sinha & T. B. Subba, (Ed) *The Nepalis In Northeast India: A Community in Search of Indian Identity*, New Delhi: Indus Publishing Company/ICSSR, New Delhi/NERC, Shillong/ DRS, NEHU, 2003.

<sup>26</sup> Based on *Informal Discussions* with local residents, Business families etc., of Darjeeling.

<sup>27</sup> Based on *Informal Discussions* with local residents, Business families etc., of Darjeeling.

<sup>28</sup>*Electronic Interview* and prolonged discussions. Simba Mukhia (name changed). June-December 2014.

<sup>29</sup> *Informal Interview*. Parkash Subba. New Jalpaiguri Railway Station. 17 October, 2014.

<sup>30</sup> *Informal Interview*. Dinesh Rai. New Jalpaiguri Railway Station. 17 October, 2014.

<sup>31</sup> *Personal Interview*, A.S. Chakraborty, Kolkata, 2009; *Personal Interview*, L.B. Chhetri, Aizawl, 2010; *Personal Interview*, P.B. Chhetri, Siliguri, 2012; *Personal Interview*, M. B. Subba, Siliguri, 2015.

<sup>32</sup>*Informal Interview and discussion*, Rajiv Khambu (Former Security Guard at a Mall in Dubai), Mirik. 8 November 2013.

<sup>33</sup>*Ibid.*

<sup>34</sup>*Ibid.*

<sup>35</sup> I acknowledge the assistance of Miss Menuka Mukhia and Miss Priyanka Rai for conducting the interviews of the porters of Darjeeling town. The interviews

conducted by Menuka Mukhia Priyanka Rai for their field study opens up new understanding of the coolies in Darjeeling- their life stories and their ways of coping with their surroundings.

<sup>36</sup>*Interview and prolonged discussions*, Man Bahadur Tamang, Singamari, Darjeeling, July 2009.

<sup>37</sup>*Interview and discussions*, Sisir Gururng, Singamari, Darjeeling, July 2009.

<sup>38</sup>*Informal Interview and discussion*, Sita Chettri, Railway Station, Darjeeling, July-November 2009.

<sup>39</sup>Sita unfortunately lost her graudate son in June 2015.

<sup>40</sup>*Informal Interview and discussion*, Nima Sherpa, Haridashatta, Darjeeling, July-November 2009.

<sup>41</sup>*Informal discussion*, 'Boju', Toongsoong Zig Zag Road, Darjeeling, June-July 2015.

<sup>42</sup>*Interview and discussion*, Phurba Tamang, Singamari, Darjeeling, July-November 2009.

<sup>43</sup>*Interview and discussion*, Chyangba Tamang, Beechgully, Darjeeling, July-November 2009.

<sup>44</sup> *Informal Interview and discussions*, Maney Bahadur, Toongsoong, Darjeeling, June-July 2010.

<sup>45</sup> Anup Shekhar Chakraborty, "‘Hamro Jhora, Hamro Pani?’ (Our Spring, Our Water): Water and the Politics of Appropriation of ‘Commons’ in Darjeeling Town, India", *Hydro Nepal: Journal of Water, Energy and Environment*. Issue No. 22, 2018, pp. 16-24.

<sup>46</sup>*Interview and prolonged discussions*, Man Bahadur Tamang, Singamari, Darjeeling, July 2009.

<sup>47</sup> Anup Shekhar Chakraborty, 'Domestic Outsourcing And Call Centres: Construing Outmigration In Darjeeling' in D.C. Roy (Ed.), *Economy Of North Bengal: A District Level Study*, Shiv Mandir, Siliguri: National Library, 2013, pp. 452-460.

<sup>48</sup>*Himalay Darpan*, 'Sunolo Mauka: Hongkong-Singapore Domestic Helper,' Vol. IX, Issue 312, p.3, Siliguri, 22 June Wednesday, 2011; *Himalay Darpan*, 'Sunolo Mauka: Hongkong-Singapore Domestic Helper,' Vol. IX, Issue 314, p.3, Siliguri, 24 June Friday, 2011; *Himalay Darpan*, 'Sunolo Mauka: Hongkong-Singapore Domestic Helper,' Vol. IX, Issue 315, p.3, Siliguri, 25 June Saturday, 2011; *Himalay Darpan*, 'Sunolo Mauka: Hongkong-Singapore Domestic Helper,' Vol. IX, Issue 316, p.3, Siliguri, 26 June Sunday, 2011; *Himalay Darpan*, 'Vacancy: Mount Everest Manpower Pvt. Ltd. Requires House Maid, Cooks & Waiters For Singapore,' Vol. IX, Issue 309, p.3, Siliguri, 19 June Sunday, 2011.

<sup>49</sup>*See, Himalay Darpan*, 'Vacancy: Mount Everest Manpower Pvt. Ltd. Requires House Maid, Cooks & Waiters For Singapore,' *Ibid; Himalay Darpan*, 'Urgent Required For Kuwait: Male House Maid.' Vol. IX, Issue 313, p.3, Siliguri, 23 June Thursday, 2011.

<sup>50</sup>*Personal Interview*, Mala Kumari (name changed on request) (Former Domestic Helper in Qatar), Darjeeling, 20 May 2011; *Personal Interview*, Sawan Bahadur (name changed on request) (Former Domestic Helper in Dubai)' Darjeeling, 22 May 2011; *Personal Interview*, Reetu Kumari (name changed on request) Present Baby Sitter in Singapore, Darjeeling, 21 May 2011.

<sup>51</sup>*Personal Interview*, Sawan Bahadur. Chowrasta, Darjeeling, 22 June 2013.

<sup>52</sup>*See*, B.S.A. Yeoh, *Singapore: Hungry For Foreign Workers At All Skill Levels*, Washington, DC: Migration Information Source, 2007; D. Wong, 'Foreign Domestic Workers In Singapore', *Asian & Pacific Migration Journal*, Vol.5.No.1, 1996.

<sup>53</sup>*See*, J. Bickham Mendez, 'Of mops and maids: contradictions and continuities in bureaucratised domestic work,' *Social Problems*, Vol. 45.No. 1, 1998.



<sup>54</sup>*Informal discussions*, Urmila Topno and the Chettri Family, Bom Busty, Kalimpong, 17 April 2015.

<sup>55</sup>*Informal discussions*, Charu and the Subedi family, Bom Busty, Kalimpong, 17 April 2015.

<sup>56</sup>*Informal discussions*, Vijay and the Subedi family, Bom Busty, Kalimpong, 17 April 2015.

<sup>57</sup>*Informal discussions*, Pramila and the Kalikotey family, Railway Station, Darjeeling, 08 February 2014.

<sup>58</sup>I thank Sister Anne Mary Lepcha for having conducted the interviews during the first phase of the fieldwork at Balason (2009).

<sup>59</sup>*Interview and discussion*, Pradip Pal, Balason, Matigara, 24-25 May, 2015.

<sup>60</sup>*Interview and discussion*, Subhankar Karmakar, Balason, Matigara, 24-25 May, 2015.

<sup>61</sup>*Interview* conducted by Sister Anne Mary Lepcha, 3<sup>rd</sup> Year Political Science (General), Project work. 2009.

<sup>62</sup>*Ibid.*

<sup>63</sup>*Ibid.*

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<sup>65</sup>Thomas Friedman, *The World is Flat*. New York: Farar, Straus and Giroux. 2005.

<sup>66</sup>Thomas Friedman, *Ibid.* Also *See*, Meher Varma, 'India Wiring Out: Ethnographic Reflections From Two Transnational Call Centres In India,' *Anthropology Matters Journal*, Vol. 9(2), 2007.

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<sup>76</sup> *Electronic Interview*, Prerna Lama (name changed), Student, Jadavpur University, 2009.

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<sup>79</sup>*Electronic Interview*, Reshma Gurung (name changed), Student, VishwaBharati University, Shantiniketan, 2009.

<sup>80</sup>*Informal discussion*, Mr. Moktan (name changed), St. Joseph's College, North Point, Darjeeling, October, 2009

<sup>81</sup>*Informal discussion*, Mrs. Pradhan (name changed), Gandhi Road, Darjeeling, 2009.

<sup>82</sup>*Informal discussion*, Miss X (name changed), Chowrasta, Darjeeling, 2008-2014.

<sup>83</sup>*Informal discussion*, Suleman, Toong Soong Zig Zag Road, Darjeeling, 1 July, 2015.

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<sup>93</sup> John Harris & Michael P. Todaro, 'Migration, Urbanization And Development: A Two Sector Analysis', *American Economic Review*, Vol. 60. No.1. March 1970; Michael P. Todaro, *Internal Migration In Developing Countries*. Geneva: International Labour Organisation, 1976.

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<sup>95</sup> Douglas Massey, 'Social Structure, Household Strategies, and the Cumulative Causation of Migration,' *Population Index* 56(1), 1990, pp.3-26.

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# Strangers in our 'Zo Jerusalem': Xenophobia and the Cultural Subjects in Northeast India

By

Lallian Thangsing \*

## Introduction

During the early days of my fieldwork, I overheard a conversation between two Chin women and a man at the outskirts of Aizawl, the capital of Mizoram. I was on my way to a place where Chins from Teddim (Chin State, Myanmar) were concentrated, and I had to pass through a small river where three of them were washing clothes. At first, they talked in the Mizo (Duhlian) dialect. The man who had been directing me to the place convinced them that it was not risky to speak to me and assured them that I can be trusted. From then on the conversation switched to Zomi/Teddim dialect. In territorially anchored communities, producing and reproducing rhetoric on differences has incited strangeness, enmity and questions hospitality<sup>1</sup>. As the Chin in Mizoram holds no official status, they have to negotiate a very complex arena of possible give and take choices ranging from neutral to offensive, in their relationship with Mizo officials and prominent civil society organisations. It usually stems from naming their identity 'Burmami' (people from Burma) to 'Ramdangmi' (Foreigner) and their legality through language use and collective consciousness on re-creation of differences. I draw from historian Andrew May's work on the North-East region, where he highlights the narrative behind the creation of difference as a consequence of the regions' borderland character. May argues that 'borderland' is not only a spatial category but also a mental one, one on which marginalities are inscribed<sup>2</sup>.

My central argument in this essay is that in the past and present lived experiences of fear and suffering endured by the Chin refugees that dictates all aspect of their social, political experiences today is xenophobic in nature. A very critical position for the refugee is that they are vulnerable and a spark in tension could mean the next mass deportation for them. The unnerving

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experience that simultaneously questions the relationship has entailed a different meaning for the Chin in the process. They have been terrorized through violence and expulsion.

I began fieldwork in Aizawl in the month of September, 2016. I met few Chin leaders, in areas where the Chin were concentrated such as Sharon veng, Electric veng, Ramlhun South and Thuampui areas. I was hopeful that I would be meeting as many Chin persons as I could. However, I was surprised that nobody wanted to identify themselves as Chin, even though it is common in Mizoram or atleast in Aizawl amongst an aporetic community, one has to fake their identity in order to blend into the local community. This banality when improvised could lead to mis-representation. This has repercussions on the ways identity is re-imagined in the Zo country. I viewed this as a form of violence where authoritarian dispositions increasingly failed to uphold the plurality of diverse Zo tribes.

Within the scholarship on forced migration, debates on xenophobia are located within the experiences of intense violence, forced expulsion, identity issues, territorial integrity, religious adversaries, racist attacks and so on towards foreigners<sup>3</sup>. These experiences by immigrants or outsider was a taken-for-granted definitional qualifiers and not least with the accounts of the horror that victims of xenophobia had experienced. The social science term xenophobia suggests the 'discriminatory potential that is intricately linked with ethnocentrism and nationalist ideology, and belief in a hierarchical world order associates a sense of threat to personal or communities'<sup>4</sup>. Using this theoretical position, this article teases out the nuances of how xenophobia is central in the lives of communities in North-East India particularly Mizoram state. I differ with such dominant definitions of xenophobic experience in engaging with my ethnography of social relations of Chin and their host in Aizawl.

The Chin and the Mizo are seemingly revitalising the shared nationalist idea of Zo Country (Zoram or Chinram). This can be seen in Mizoram government sanctioned festivals and mainly Zo fest, Chhinlung cultural fest and Zofa Cultural fest celebrated beyond the borders of Mizoram. These exclusive fetes are viewed as one of the ways for upholding the continuity of shared historical identity between the Mizo and the Chin, encompassing parts of India, Myanmar (Burma) and Bangladesh. Taking the historic narratives and contemporary nationalist projects into account, I argue that the way the Chin refugees experienced xenophobia through their daily encounters could help us understand how these experiences encompasses all aspects of life. Moreover, recognizing these experiences aids the development of our awareness on taken for granted assumptions of precarity, marginality and sub-ordination of refugees.

Part of the problem may be the misconception of migrants as refugees and vice versa. In humanitarian discourse, refugees are granted rights in their host country which otherwise is not available to the migrants. Zetteron labelling refugees argues that there are severe conceptual difficulties in establishing a normative meaning to a label which is as malleable and as dynamic as a refugee and is contingent upon the notions of persecution and

sovereignty<sup>5</sup>. For the Chin fleeing Myanmar, staying behind might mean an untimely death, either for political reasons or because of the failing household economy in Chin state that is considered to be the poorest state in Myanmar<sup>6</sup>.

### The Suffering Subjects

In Aizawl, popular Mizo media has increasingly showcased the idea of being categorically Mizo in a way that represents the embodied modern 'high' culture and connections across borders. These enactments have been critical markers, as Chins live in dire poverty in Aizawl, these cosmopolitan<sup>7</sup> embellishments are seen as an incitement of qualifiers in their daily social engagement. Although not strenuously imposed, the embodied modern culture has the ability to generate new meanings in the everyday practice, either discursive or mundane.

Consequently, the language of exhortation 'that all Mizo are God fearing people' and it is all individual duty and responsibility for the betterment of the society, are some of the billboard signs that are visible in all neighbourhoods. Many billboards are filled with quotes from the bible to be moral and to be prepared for the coming of Christ. Some of these quotes are about the idea of being a reformed person to encourage the people and the general masses to have civic sense and to live in peace. One of my respondent, a refugee himself, was apologetic about the behaviour of the refugees. He said

We left our homes because our land was uninhabitable; we are many in numbers who has left home. Our society and their society has differences since we are under the Military Junta rule for many years, our nature are different, we do not speak Mizo as they would have spoken here and for many of us,... our habits are not up to what they have expected of us. Many children and youth are amongst us when we flee and for many of them due to the nature of our settlement being temporary they would simply go and steal and do not care about it. If they want to steal they would steal stating that this isn't our home so because of all these we are being condemned by many in our settlement.

It could be recalled that many of them left home not because they were seeking work but amongst them were also people fleeing as political exiles. It is critical to question these academic distinctions between refugees fleeing for political exile and those seeking work, as there are several layers that complicate the easy assumptions. However, it is important to understand their experiences that they have to endure as being newcomers in Mizo society. The same respondent adds that they were working at the bottom of the social structure and so discrimination was inevitable. According to the Chin, the Mizo were exhibiting their superiority amongst all other communities inhabiting Aizawl. One of my respondent had jocularly compared that the masters are the Mizo and that they were *Bawi* (slaves) and gave reasons pertaining for their low standard of living.

Many refugee communities are subjects of comparisons for moral and immoral behaviour. One analysis could be the place of worship. It is notable that the Chin are allowed to choose their denomination. Churches like

Assemblies of God, Church of North India, Free Methodist church, Wesleyan Methodist church, Lairam Christian fellowship and Zomi Baptist church are some of the churches where the refugees choose to worship. Firstly, these places of worship were labelled as places of worship for the *others* (refugees) from the Mizo point of view. However, the refugees find it more comfortable to be part of these churches. The distinction remained either to be part of the Presbyterian Church and Baptist church of Mizoram. Secondly, the livelihoods options available to them were as follows: daily wage labourer, street vendors, bus driver, care workers to name a few. These work options are pertinent for them in order to meet their daily needs, on the other hand it symbolise structural marginalization in the consciousness of the Mizo. These instances had reflected as to how it is challenging for the refugee community to be at par or attain a level of acceptable along the host community. The auto-benchmark was laid in the mental frame of the host community to cope up with the Mizo community to be considered moral.

It is significant to also engage with the Chin narratives on how their poverty and livelihood were overlooked by the Indian and Mizoram state. This structural invisibility directs as to why it is impossible for them to come to a level of acceptance as a collective group. Joel Robbins ideas on 'anthropology of morality' made a contrast between the 'routine reproduction' of moral regimes in stable societies and the 'enforced freedom of moral choice' in situations produced by social change<sup>8</sup>. These symbolizes that with the introduction of Christianity which acts as moral regimes renders a routine reproduction that makes the refugees as moral subjects. In the analysis of morality and its subjectivities, it is important to frame local moral worlds through non-state actors in Aizawl, often then morality is considered another form of consciousness and the self-becomes embedded in the collective sensibility of morality.

Drawing from a distinction on their experiences among Chins, for many being a member of the Presbyterian Church devours influence over negotiation and reservation. The church is confident that through their level of engagement in the church they will be inculcating a moral sense that is constituted and will be impacting their lives in various ways. A level of confidence was attained when they became part of the Presbyterian Church as once being a member was considered as being part of the Mizo society. However, the fault line remains, only the elite from the refugee group or with some better economic household families could afford to be members. On the contrary, those Chin who are part of the smaller churches are continually in a position with the absence of support group from the host community. The culture of placing minority groups as perpetrators in pursuit of protecting the morality of the larger Mizo society and local (Mizo) perpetrators were evident during the conversations I had with petty business vendors. Burmese origins were seemingly portrayed to be involved in illegal activities such as drug trafficking, robbery by prominent media houses based in Aizawl. One of them narrates her experiences of being a women activist and constantly advocating some of the victims either with raped or murder cases amongst the refugee community. She narrates that, the young women caregivers are the

most vulnerable to exploitation. At present she has two cases that she has been helping the victims at the local court. Some of the perpetrators were the sons of politicians or the church leaders thereby helping the victims in their case was challenging. She adds, the media houses are quick in telecasting when any refugee or suspicious identity committed the crime. As an activist, she however iterated that not all allegations made public were committed by the Chins.

In Mizo literary, the Chin refugees have contributed in asserting famous stories of their ancestors from Burma. One examples was a book on the legendary 'Pu Thangtinlana Tlahmun Chanchin' written by Pu Vanpeka Laisak. He was awarded one of the best writers sometimes back in the year 2009 at Vanapa Hall in Aizawl. He re-counted on the ignorance of his achievement by the daily newspaper. Media house in Mizoram was considered one of the agents of humiliating the Chins for the refugee community arising due to their biased nature of what goes published and unpublished in print as well as electronic media.

Cultural sphere is nonetheless political and so are the media as clearly outline by Hartley. He argues that, 'media acts as a place where collective action, individual identity and symbolic imagination meet which again entails the node between culture and politics'<sup>9</sup>. In this case, media houses in Aizawl act as the mediator in which the social control were diffused and disciplined, significantly there exist biases and it dramatizes and teaches the way control is necessary. For the vast readership, the media acts as agents in which the process is performed and the means by which issues of politics and cultural norms are tested in a territorially anchored community.

In Mizoram, the Chin had to negotiate a political and mental consciousness of stigmatisation from the aporetichost society. It is indeed fitting to suggest that suffering, morality and culture sphere of imbibed modern dispositions are conflated with poverty and vulnerabilities. While referring to the suffering subjects, Robbin's (2013<sup>10</sup>) suggests that it is possible to spot a number of lines of inquiry, 'although small or even marginal in themselves, may be poised to come together in a new focus on how people living in different societies strive to create the good in their lives'. The Chins assertion on the term 'ChhulkhatChhuak' (common ancestry) to the pan-Zo identity does provide a space for rebuilding trust, inclusion and acceptance. However, they are fearful of being deported again because of their legal status. This fear has engulfed in their minds. While endeavoring to be part of the Mizo culture and striving for the good in their lives, these performances involved an elusive path which later points to a form of cultural violence

### **Xenophobia and Fear**

A majority of Chin forced to flee Myanmar (Burma) crossed the porous international border into neighbouring India seeking temporary settlement in Mizoram. In the year 2003, a violent mass deportation has manifest all of Mizoram with Aizawl as the centre where it all started with loud speaker declaring the ethnic Chins to leave the state within a specified timeframe.



Bianca and William has illustrates on the civil society in Mizoram through YMA<sup>11</sup> and how xenophobia pervades during the mass deportation and argues that 'intense xenophobia is not only fostered but also institutionalized'<sup>12</sup>. However, I demonstrate the effects of xenophobia and their experiences as this has invited a way of differences among the refugee communities where fear became central within the spatial limits of everyday lives. The YMA had issued 'quit notice' in the past to Chin and to Non-Mizo's, one of the driving force for quit notice was to safeguard the social fabric of Mizo society. The powerful organization such as the YMA has considerable authority beyond the government and working hand in hand with the powerful Presbyterian Church of Mizoram. According to the narratives of the YMA, a certain level of control towards any other communities and religion has to be maintained so that there is peace prevailing in Mizoram. This has indeed gained currency amongst the Mizo community which legitimises the act of YMA during the mass deportation in 2003. In this context, it is necessary to demonstrate how differences were constituted within the refugee communities to avoid ambiguity from the host community. One of the ex-Chin leader has said

'Zomi, on the other hand, are scared to even participate during the Chin national day celebration. They are with the thinking that if we attend amongst the Chin we will be tagged as a foreigner. They are very scared to even attend Chin national day. Only the singers have shown up. But all others (people from Burma residing in Aizawl) have come and participated during the function but they are afraid. They regrouped themselves in Zomi and they celebrate Zomi national Day. Around 15 of them has participated in our Chin national day celebration, they are so scared, maybe they are not at ease and comfortable'

The refugee communities have differentiated themselves in order to avoid being in an ambiguous position. As all of them originating from the Chin state in Burma, Chin National Day was celebrated on 20<sup>th</sup> February every year in Burma but in the places of their new settlement, celebrating the Chin National Day implicates different undertone and different ethnic tribes choose to be identified and realigned with distinct groups like Zomi<sup>13</sup> along Paite tribes. The Zomi's, in particular, celebrated Zomi Nam Ni (Zomi National day) every year on the same date as that of the Chin National day in Burma and among the diaspora. During my interview with Pi Sawmi, owning a petty business had spoken about the way they learned and try to speak the real Mizo (Duhlian) as this aids in the day to day business conversation and integration within the community. Instead of speaking in their own dialect amongst the vendors who themselves are from Chin state (Myanmar) they choose to speak in Mizo dialect.

Xenophobia towards any other clans, communities, religious groups or members of other states and nations, was functional in maintaining a social order of protecting distinct Mizo identity and culture. The 'peace loving Mizo society' through this rhetoric were instrumental in controlling all aspect of Chin refugee lives to maintain the status quo. This in a way invites for legitimisation of YMA's mass deportation and torture. In line with the YMA principle, that are sure to maintain peace and gatekeeping in Mizoram,

rejection of all membership other than the distinct Mizo identity has rematerialized fear for the Chin.

This form of violent gatekeeping, which was launched by the non-state actors predominantly, YMA, and interestingly, only after the violence escalated, the state authorities directed the law agencies to prosecute the Chins under the Foreigners Act 1946. What is distinct here was the ways in which the state authorities devised new modes of gatekeeping subjects. In a similar vein, Poole's (2013<sup>14</sup>) argument on the Eritrean state reveals how the state has developed new gatekeeping strategies that operate in and through porous borders and encompassing even transnational kinship networks as agents. What has happened in Aizawl suggest an account where the state authorities attribute a lackadaisical position and the YMA rhetoric come in handy for driving out Chin's. As reported by the Chin Human Rights Organization, the Chins were unwittingly entangled between interest of political parties namely the Indian National Congress and Mizo National Front for gaining Chin votes where they are duly accepted and rejected over time (Biaklian et.al 2004<sup>15</sup>). In Aizawl, derogatory terms reflects enmity amongst the communities, terms such as Nghapih(fermented Shrimp paste) associated to the Chins is derived from the day-to-day conversation in identifying the refugees likewise people from Manipur are identified and banal in calling them as Nghaum (fermented fish). These use of derogatory terms shows the extent of humiliation that they undergo in their place of stay.

Considering the scale of xenophobia that is prevailing in Mizoram against the Chin, it is pertinent that speaking in official Mizo (Duhlian) and abandoning their own dialect even within their household and community becomes a way of including themselves in the larger Mizo society. Nonetheless, the changing of names had been crucial for the Chin in order to be accepted and at the same time having a social relationship and kin ties has in a way decrease the xenophobic attitude of the host society. At present, the Chin remains undocumented refugees as there is no official status granted. Thus there exist the gap as to why the extent to which bureaucratic interests and procedures are themselves crucial determinants in the definition of refugees. The challenge is a significant because the concern is fundamental - processes by which refugees are socialized and the structural impacts (control, regulation, opportunities) that are unfavourable for the refugees.

### **Citizenship and Belonging**

During the mass deportation in the year 2003, many Chin who are citizens and residents of Aizawl were equally targeted. Many mobs have pelted stones and try to burn Hotel Sangchia located at Zarkawt road, Aizawl owned by Pu Sangchia who was accused of being an origin from Burma. This is one instance where the citizens were being targeted which further escalated and puts the owner of the hotel in an ambiguous position. Similar instances were experienced by a Chin leader who now has retired from his position. During the interview, he narrated how his nephew, who was already a citizen has been targeted to be a non-national and was under surveillance by the Young Mizo

Association members as he stays in the house of a Chin national leader. He mentioned that his house was searched and kept under surveillances day and night as they are apprehensive about hosting non-national at his home. One very interesting instances being the language they used – if they used Mizo (Duhlian) language then they are less apprehensive. However, they are expected to be speaking in a very respectable way, one of them mentioned how he got beaten when interrogated for not speaking in a language that is acceptable and respectable although he was a citizen but has the connection of Burmese origin. Through these instances, it is evident that the association along familial, ethnic and language has led a citizen to an extent of apprehension and ambiguity.

One of the ex-leader of CNLD<sup>16</sup> who now operates a small business and an active member of Upavilai<sup>17</sup> at the Presbyterian Church, Sharon Veng, Aizawl had highlighted that he had casted his votes for Village Council election few years back. However, under some circumstances which denied to reveal was rendered unable to vote since then. He adds that in the past years he was voting and campaigning for the leaders in his area and holds an important position in the party. At present, he and his wife's were removed from the VC electoral rolls. In one of our discussion, his friends light-heartedly talked about how he was once a genuine Mizo and now his identity has changed again to Chin refugees. During his optimistic tenure in the party he was promised for a permanent citizenship but only later he found the bureaucratic procedure was altered and impossible to attained permanent citizenship. He further alleged that it is the handiwork of the local NGO's particularly Young Mizo Association, MizoUpa Pawl and holding considerable authorities dominating the Mizoram government.

At present, the denial of voting during the Village Council election has created an anxious state of mind and betrayal for Chin's who have settled in Mizoram for decades. Pu Vanlaltuanga has described on his lost hope over the election, in past years he voted for several local VC elections. He specifically mentioned that before 4 years he was voting in election except Legislative assembly and parliamentary elections. He mentioned that he was hoping to be part of the community who will be working for the betterment of the society and when asked about why he was not voting, he mentioned that it is useless to vote here as our issue were never taken up and no discussion was part of the agenda when they get elected, 'we are and we will be refugees' he added.

In recent past, the electoral rolls were differentiated and the Village Council has different electoral rolls since with the inclusion or making the electoral into one single unit (master roll) many of the voters especially some refugees who were given the right to vote were being removed from the electoral roll rendering them in an ambiguous position. In as much as in Northeast India, the region gained currency on the debate over granting citizenship rights to thousands of asylum seekers from the other side of the international border. The issue of citizenship status for illegal immigrants was largely debated especially for the Hindus and the Muslims who are migrating from Bangladesh on religious lines. It is noteworthy that Illegal immigrants

from Bangladesh are viewed as a demographic, economic and political threat in Assam. Likewise, in Tripura, considering the small ethnic groups, they perceive the Bangladeshis as a threat to their demographic status and the ethnic tribes of Tripura bear testimony to such fears. In Arunachal Pradesh, the debate about granting citizenship to Chakma and Hajong refugees from the Chittagong Hill tracts of Bangladesh shares a similar pattern of the questions of as to whether they will be granted the genuine citizenship rights. As with time this contestation and the debate over the claim for the 'Sons of the Soil' has gained currency in the socio-political spectrum in the region.

In Mizoram, while engaging with the issues of citizenship, the Chin population who had been seemingly holding the identity of being citizens, became ambiguous through the non-state structural process. There is a dilemma of whether voting rights being given to refugees serve any purpose for the community. On the other hand, many still struggle to get voting rights apart from ration cards. This suggests that although there remains a thin line in surety of voting rights embodied, However, the struggle to procure such qualifiers are evident where some groups tend to re-negotiate and re-align themselves with the bureaucratic process and the local host community.

The life world of integrating a cosmopolitan subjectivity and identity as Kristian Mizo as synonymous to Mizo are embodied without displacing the ethnic cultural disposition has in a way entails a different meaning for the refugees. The Mizo's were seen as a hegemonic influence by the refugees not least to other migrant from the plain areas. While navigating for alignment and membership in pursuit of the good, this idea has succinctly revived the continuity of being 'Kristian Mizo (Christian Mizo) a term which reflects the identity of Mizo' in a territorially anchored communities (Pachau, 2014<sup>18</sup>). Locality and local authority in Aizawl through the dictates of non-state actors, the state become an external agent in the matters of local temperament. This, however suggest that conditions were tougher for some categories of people who are not included or wants to avoid the mainstream society for example in the matters of village council activities and the like.

Thus, the issue of belongingness is contested and there exist representation which is evident when they are part of the groups and being active members of the church by being UpaValai at the Presbyterian Church. Tension arises when there are circumstances when the host Mizo community accused them of their performances be it illicit drug trafficking which extrapolates their status within their settlements. A sweeping generalization as one of the factors that are significant in this case, as according to the narratives of the Chin's, they became an easy target for almost all social problems that the city space has encountered. Luigi Achili in his study inside the Palestinians refugee camp in Jordan, argues that the state of ambiguity is fraught in the interstices of the binaries between inclusion and exclusion, and marginalization in their settlement by the state and non-state actors that often suffuse the refugee lives<sup>19</sup>, This holds true for the refugees in Mizoram and this binaries does exist as ambiguity is synonymous as foreigner for the Chins in Mizoram although officially the state does not recognize the Chin.

## Conclusion

It is intriguing to be witness to the experiences in which poverty and inequality, the end result of a long process of impoverishment, are conflated with 'foreignness'. Very often this subtlety is not really a question of impulse, but rather a mode of perceiving and identifying differences. I argue, that, part of the problem may be the ways in which the term culture is used, as the idea of culture often explains one's authority and proximity to that culture. For instance, deception is said to be part of the culture that Chin migrants bring with them. Abuses of cultural concepts are particularly insidious in discussions of suffering in general and of human rights abuses more specifically; cultural difference is one of the several forms of essentialism used to explain away assaults on dignity and suffering in general.

Borrowing from Maalouf "Identity" is one of those false friends, we all think we know what the word means and go on trusting it, even when it's slyly starting to say the opposite. For Chins, a membership of the social organizations like YMA are seen as leveraging their positions on their daily social relationships and not least to being a member of the Presbyterian Church. In Aizawl, being a member of the Presbyterian church does entail's a moral code of decency, respectability and hierarchy. These become problematic for the Chins, as sweeping generalisations surges challenges when a member is not at par the moral standards. The gatekeepers such as YMA intervenes in such situations and the foreignness rhetoric come alive again. The imposition of cultural essentialism which more or less conforms to the idea of Kristian Mizo (Christian Mizo) overlooked heterogeneity. By this I mean the assumed collective characteristics do not necessarily hold true for all the members of the categories in all circumstances. Thus the hegemonic influence that pervades the refugee lives and the marginalization caused by hierarchical power relations through creating symbolic boundaries hence, of course masked the historical narratives of fraternity between the Chin's and the Mizo's.

## Notes

<sup>1</sup> Bernhard Waldenfels, "Strangeness, Hospitality, and Enmity." (2011).

<sup>2</sup> Andrew J. May, "To Lay Down the Frontier of an Empire?: Circumscribing Identity in Northeast India." *Studies in History* 32, no. 1 (2016): 5-20.

<sup>3</sup> Hashi Kenneth Tafira, "Is xenophobia racism?." In *Xenophobia in South Africa*, pp. 15-33. Palgrave Macmillan, Cham, 2018

<sup>4</sup> Oksana Yakushko, "Xenophobia: Understanding the roots and consequences of negative attitudes toward immigrants." *The Counseling Psychologist* 37, no. 1 (2009): 36-66.

<sup>5</sup> Roger Zetter, "Labelling refugees: Forming and transforming a bureaucratic identity." *Journal of refugee studies* 4, no. 1 (1991): 39-62.

<sup>6</sup> Bringing in dialogue on the scholarly dilemma of categorising refugees and migrants, I conceptualize the Chins as refugees

<sup>7</sup> I use cosmopolitan to suggest perception of new and significant possibilities for progressive changes within the Mizo society.

<sup>8</sup>Joel Robbins, *Becoming sinners: Christianity and moral torment in a Papua New Guinea society*. Vol. 4. University of California Press, 2004.

<sup>9</sup>John Hartley, *The politics of pictures: The creation of the public in the age of popular media*. Psychology Press, 1992.

<sup>10</sup>Joel Robbins, "Beyond the suffering subject: Toward an anthropology of the good." *Journal of the Royal Anthropological Institute* 19, no. 3 (2013): 447-462.

<sup>11</sup>YMA (Young Mizo Organization) the largest civil society organization in Mizoram and all Mizo's after attaining the age of 14 were enrolled and given membership.

<sup>12</sup>Bianca and William in Su-Ann, Oh, ed. *Myanmar's Mountain and Maritime Borderscapes: Local Practices, Boundary-making and Figured Worlds*. ISEAS-Yusof Ishak Institute, 2016.

<sup>13</sup>One of the ethnic tribes in Chin state and in Manipur

<sup>14</sup>Poole, Amanda. "Ransoms, remittances, and refugees: The gatekeeper state in Eritrea." *Africa Today* 60, no. 2 (2013): 66-82.

<sup>15</sup>Biak Lian, V., Mungleng, & K. Sutthiphong, *Assessment report on Burmese refugees in Mizoram*. Chin Human Rights Organization. New Delhi: Chin Human Rights Organization, 2004.

<sup>16</sup>Chin National League for Democracy – a pro-democratic party/organization based in Aizawl working for democracy in Burma, one of the prominent groups amongst the Chins in Mizoram and Chinland Burma

<sup>17</sup>UpaValai is one of the position and members of the Presbyterian church in Mizoram who are consulted for church matters

<sup>18</sup>Joy LK. Pachuau, *Being Mizo: Identity and Belonging in Northeast India*. Oxford University Press, 2014.

<sup>19</sup>L. Achilli, *Palestinian refugee and Identity: national politics and the everyday*. London: I.B.Tauris. 2015

# Re-Examining Typologies in Environmental Change and Population Displacement: Need for Contextual Understanding

By

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## **Introduction**

It is widely recognized that a complex relationship exists between environmental change and population displacement and the former can influence human migration patterns and behaviour.<sup>1</sup> The discourse of environment and the population displacement-for voluntary, involuntary and combination of both – is inseparably linked with a host of social, economic and political factors that are context specific.<sup>2</sup> Many migrations are not easy to categorize. In between voluntary and involuntary migrants, there are lots of migrants who are forced to relocate themselves for deficiencies in the local economic, social, or environmental context.<sup>3</sup> Many highly contested terms have emerged due to debates around linkages between environmental degradation and forced migration – primarily ‘environmental refugee’, but terms like ‘environmental migrant’, ‘forced environmental migrant’, ‘climate refugee’, ‘climate change refugee’, ‘environmentally displaced person’, ‘eco refugee’, ‘ecologically displaced person’, eco-migrants and so on<sup>4</sup> are also gaining popularity. These terminologies critiqued by several scholars and argued that conceptualizing environmental change as the root cause of displacement is unhelpful, and intellectually unsound in understanding the complex processes involved in population displacement.<sup>5</sup> Scholars have raised questions regarding terminology usage and their meaning as well as causal links in environment caused population displacement. Moreover, many concepts are discussed without much clarity and thus lack consensus. The biggest impediment remains the huge disparity in the estimation of the kind of

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people that have been or will be displaced due to environmental change. It ranges from 50 million<sup>6</sup> to 250 million.<sup>7</sup> The proper estimation depends on how environmental migration is defined and who will be included under a given definition.<sup>8</sup>

The present paper examines discourses surrounding environmentally forced population displacement (EFPD), primarily focused on the impact of natural and man-made disasters, environmental degradation and other forms of environmental change that influence migration decisions. By interrogating environmental factors that influence migration decisions, this study tries to argue that a universal typology of EFPD is difficult to achieve. It is better for each typology to be contextualized to a particular condition and state of affairs. It becomes relevant because of the presence of many substantially different subgroups within broader categories of EFPD making it unclear as to the kind of policies that should be adopted.

The next section discusses the scholarly debate on the relationship between environmental change and population displacement, particularly in the context of the term ‘environmental refugee.’ The third section critically examines some existing typologies provided by the scholars. The fourth section provides some case studies to show the need for contextual understanding of different typologies. A brief case study deals with ‘flood disaster displacees’ in the context of stringent conservation laws executed in a forest enclave located in the foothills of Sub-Himalayan West Bengal, India (details discussed).<sup>9</sup> Other case studies of Tuvaluan population and the inhabitants of Tortugo, Puerto Rico<sup>10</sup> will be discussed which may make typologies appear more problematic. The concluding section illustrates how contextual understanding contributes in the preparation of policy framework for substantially different groups and the strategy of policies for protection and assistance from equity and social justice perspectives.

### **Conceptualising Environmental Degradation and Population Displacement**

Migration due to environmental degradation is a major global crisis due to large scale population displacement from their original habitat. However, there is a strong argument whether the people were forced to migrate as a consequence of only one factor - environmental disruption or degradation. Environmental degradation causing human migration may be the result of external compulsion or the decisions made by migrants. Migrants who are compelled to relocate by external forces are known as ‘refugees’. At the other extreme, migrants who voluntarily relocate for economic improvement are referred to as ‘voluntary migrants’. For voluntary migrants, the decision to relocate is usually made at the individual or household level. That means, the difference between ‘voluntary migrants’ and ‘refugees’ provides some theoretical power to differentiate between various qualitatively different migrants. The different nature of migrations is not easy to categorise. Conceptually, in between these voluntary migrants and refugees, there are lots of migrants who are forced to relocate because of deficiencies in the local



economic, social, or environmental context. For example, some can anticipate that their local situation will ultimately deteriorate and have the ability to relocate themselves before they are forced to do so. On the other hand, there are others who fail to anticipate changes in the same locality or lack means and opportunity to relocate earlier and ultimately forced to leave. Besides, many migrants do make decisions based on limited set of opportunities. So the decisions to migrate could be better conceptualised as continuum where people have no control over relocation in one end, are considered as involuntary migrants, while others who have more control over the decision to migrate at the other end, represented as voluntary migrants. The much discussed 'environmental refugee' concept can be located on the side of involuntary migrants in the scale. Environmental disruptions cause a wide range of constraints on human activities. Some disruptions directly force to relocate, while others damage local economic opportunities. Hugo located migrations from environmental disasters at the involuntary end of the continuum. Conversely, migrations that results from the gradual deterioration of the environment can be located further towards the voluntary end. Classifying 'environmental refugee' as continuum, it is argued, helps to avoid legal concerns as well as provide systematic means to compare different types of migration flows.<sup>11</sup>

While the terms such as environmental refugee, climate refugee, environmentally forced migrant, environmentally displaced person, eco-refugee, ecologically displaced persons, have been emerged to refer to the phenomena of environmental change and migration, the concept of 'environmental refugee' has been the most contested term due to lack of an authoritative definition. The debate received momentum when the United Nations Environmental programmes (UNEP) defined the category 'environmental refugee' from humanitarian perspective rather than using analytic criteria. According to Essam El-Hinnawi, a researcher in UNEP, environmental refugees are 'those people who have been forced to leave their traditional habitat, temporarily or permanently, because of marked environmental disruption (natural or triggered by humans) that jeopardised their existence and/or seriously affected the quality of life'.<sup>12</sup> In this definition, 'environmental disruption' means any physical, chemical, and/or biological change in the ecosystem (or resource base) that renders it temporarily or permanently unsuitable to support human life. This definition does not provide any generic criteria that distinguish environmental refugees from other types of migrants. Moreover, there is no specific difference between various types of environmental refugees. So, many people can be classified under the umbrella of 'environmental refugee', questioning the usefulness of the concept. That means El-Hinnawi makes no distinction between refugees who leave due to disasters like floods or earthquakes and those who gradually leave their homes as soil fertility declines. Many scholars critiqued the definitions of 'environmental refugee' and argued that they are based over simplistic explanations of the causal relationships between environmental factors and forced migration.<sup>13 14</sup>

In fact, researchers are primarily divided into two schools of thought regarding the concept of ‘environmental refugee’.<sup>15</sup> Authors like El-Hinnawi, Jodi Jacobson and Myers<sup>16</sup> who describe large numbers of environmental refugees and predict greater numbers in the future, are termed as ‘maximalists’. They tend to conceive change in the physical environment and migration as simply causative and direct. On the contrary, authors like Bilsborrow<sup>17</sup> and McGregor<sup>18</sup>—labelled as ‘minimalists’—stress the complexity of the interaction between environmental and social systems, questioning assumption of direct link between environmental change and migration<sup>15</sup>. For better understanding of the concept of environmental refugee, scholars have tried to distinguish whether they were responding to rapid or slow onset of events and how to differentiate ‘environmental refugees’, who flee from environmental disasters, from ‘migrants who move voluntarily in a context of environmental stress’. Others argued for continuum, classifying migrants based on the extent of urgency to move and differentiating them based on the nature of the environmental disruption causing their movement. On the other hand, authors like Lonergan and Black outright rejected the concept of ‘environmental refugee’, ‘environmental migrants’, etc. They argue that it is poorly planned development and global North-South disparities that are largely responsible for generating vulnerability to hazards like flooding. Thus, environmental change is only a proximate cause of displacement while the root cause lies in the global developmental inequalities.

The definitions with respect to “environmental refugees” provided by several scholars like Norman Myers<sup>19</sup>, Diane Bates generally defines the fact that they do not distinguish whether the people migrating or fleeing have crossed an international border. It is also evident that even though the term “environmental refugee” is used, the authors encapsulate population movements that are not of the refugee type, at least not as per the definition of 1951 Refugee Convention. Under the Article 1A of the 1951 convention (amended by the 1967 Protocol relating to status of refugees) refugees are those who meet three criteria: i) they have a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political ideology; ii) they are outside their home country; and iii) they cannot - or will not, because of their fear - rely on the protection of their own government.<sup>20</sup> The international law on refugee protection provides a strong body of legally binding norms and principles, and is “essentially about promoting asylum in foreign countries”.<sup>21</sup> In addition, of the three aspects of the 1951 Refugee Convention mentioned above, the one that would be most difficult to define in the context of “environmental refugees” is the fear of persecution. Indeed, it is difficult to conclude about who would be the persecutor, and in what sense is the group being “persecuted”. It is opposed to facing a threat, noting that the term persecution implies an element of intent to harm or a failure to prevent harm from occurring.<sup>22</sup> So, unless it is assumed that ‘nature’ or ‘environment’ can be termed the ‘persecutor’, the term refugee should not be used to describe those forced to migrate, either in part or entirely by environmental factors.<sup>23</sup> However, proponents of ‘environmental refugee’ concept argue that environment can be used

intentionally as an ‘instrument to harm’ that force people to leave the habitat involuntarily. This definition has been criticized for implying mono-causality between environmental factors and forced migration. <sup>24</sup>Some others argue that environment-related migrants should not be defined as ‘refugees’, because in international law, ‘refugee’ has a different status, where a strong body legally binding norms and principles is present. In defining refugee, one of the principal elements is that migrants must be outside their country of origin. This definition does not include people who leave their original habitat due to marked ‘environmental disruption’. So, it is a misnomer. In fact, there is no accepted definition of environmental refugee, without which, it is very difficult to say who can be categorised as ‘environmental refugee’. However, Diane Bates tried to distinguish between different types of ‘environmental refugees’ based on objective characteristics. Still, this categorization, particularly the category of ‘deterioration refugee’ has been debated due to inability of disentanglement of environmental factors from other factors as major stressor.

However, some scholars question the inadequacy of environmental refugee terminology; not discarding the possibility that environmental factor may be important for triggering migration in certain circumstances. Similarly, Oliver Smith<sup>25</sup> argued that in rare cases, nature - or the set of natural features and forces that characterise a region (as opposed to migration) - could be a single cause of migration. He further argued that environmental factors that emerge out of human misuse or alteration of nature, more frequently trigger migration. Natural features and forces in interaction of society become part of an assemblage of factors that trigger migration. So, the disagreement lies on the use of the term ‘environmental refugee’, not the linkage between environmental change and human displacement. According to Morrissey, the debate on ‘environmental refugee’ is really a debate about how a relationship is represented, and less about the nature of the relationship itself.<sup>26</sup>

David Turton, on the other hand, stressed on experiences faced by displaced due to involuntary relocation rather than on the causes of their flight or their status in international law.<sup>27</sup> He argued that refugee like situation of forced displaced should be considered as utmost important that needs protection and assistance. Arguing against expanding the refugee definition, Zetter<sup>28</sup>, Dun and Gemenne<sup>29</sup> state that ‘...in determining whether or not someone is a “refugee”, it is not necessary to determine whether or not the reason leading to persecution (...) is the main reason for displacement, but whether or not it happened’. This could be extended to the definition of environmental drivers for migration. The issues of rights for those who are environmentally displaced and associated questions of human security are urgent matters of policy. From human rights perspective, security is a useful framework for policy development. The question of human security is important because environmental change does not undermine human security in isolation from a wider range of social factors like poverty, the degree of state support to a community, access to economic opportunities, effectiveness of decision making processes and the degree of social cohesion within and around vulnerable groups.

Other scholars believe that there is a relationship between environmental degradation and human migration despite inability to disentangle multiple factors. Some researchers argue for studies that look at environmental factors as elements within larger networks, effectively exploring the linkages rather than trying to make conceptual understanding.<sup>30</sup> To understand the linkages, case studies relating to forced migration and environmental factors are necessary. These case studies must then be scaled up as common threads and identified in order to provide a sort of all-embracing framework for the understanding of the environment as a crucial factor in the study of human migration.<sup>31</sup> Trollaldalen pointed to the absence of detailed case studies of conditions that produce environmental refugees, leading to uncritical acceptance of El-Hinnawi's vague conceptualization of environmental refugees.

Thus the wide disparity in claiming existence of 'environmental refugee' is basically due to the conceptual lack of clarity as well as adoption of different methodologies applied by various scholars in their studies into the linkages between environmental changes and forced migration. The diverse perspectives into the debates on linkage between environmental change and forced displacement put forward by various scholars are summarised in Table 1.

**Table 1:** Diverse perspectives on linkage between environmental change and forced displacement

	Maximalist	Minimalist	Structuralist	Actor based	Network based
Proponents	El Hinnwai ; J. Jacobson; Norman Myers	McGregor; Bilsburrow ; Shurke	Loneragan ; Black ; Renaud et al	David Turton	Lehman; Henry et.al.
Linkage	Relationship between environmental degradation & population displacement simple and linear	Relationship between environmental degradation & population displacement messy and complicated	Relationship between environmental degradation &population displacement messy and complicated	Not interested in causal links; to migrate, lot of choices operate ; Migrants as 'purposive actors' and engaged in active decision making	Not interested in conceptual understanding

Importance of environmental factors	Micro level changes of rapid population growth and global climate change to factors like desertification , deforestation , biodiversity depletion, rising sea level necessitate migration of people	Criticised primacy of physical environment ; Environment only contextual factor; Stress on complexity of interaction between natural and economic, social & political reasons	Environmental cause nonsensical and only proximate cause; Root cause: development disparities between Global south & Global North	Stress on understanding people’s view & experiences in migration process ; to emphasize their embedded idea in particular social , political , historical situation; Migrants are agents	Stress on linkage between environmental factors with larger networks; Case studies may help to understand linkage
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Source: Author’s own

### Existing Classification of Environmentally Induced Migrants

Various scholars working on environmentally induced migration tried to offer typologies on population displacement caused by environmental change. One of the most discussed typology is ‘environmental refugee’. Essam El Hinnwai, an UNEP researcher, described three major types of ‘environmental refugee’:

- i) Those temporarily displaced due to disasters , whether natural or anthropogenic;
- ii) Those permanently displaced caused by drastic environmental changes like construction of dams; and
- iii) Those who migrate based on the gradual deterioration of environmental conditions.

This typology gives rough descriptions but failed to establish generic criteria for distinguishing one type of environmental refugee from another.<sup>3</sup> It is an umbrella notion where different subgroups may be included. It lacks objective characteristics of the underlying environmental changes.

Similarly, Jodi Jacobson identified different types of environmental refugees:

- i) Those relocated temporarily due to local disruption such as an earthquake or avalanche;
- ii) Those who migrate due to environmental degradation that undermined their livelihood or posed undesirable risks to health ; and

- iii) Those who resettle as land degradation has resulted in desertification or because of other permanent and unsustainable changes in their habitat.

That means, she has stressed on the time frame factor of the displacement. This idea was flawed due to lesser importance of other variables, like the degree of coercion of the migration, or the distance travelled from the point of origin<sup>32</sup> and the characteristics of migrants. For her, there was no difference between the concepts of involuntary and voluntary migration.

On the other hand, Castles<sup>33</sup> identified three categories of environmentally forced population displacement. One, development displacees –people who are forced to leave due to large scale construction or development projects, like dams, power plant, mining or urban infrastructure. Second, environmental displacees- people relocated by any environmental change like desertification, deforestation, land degradation, water pollution or floods. Thirdly, disaster displacees-people forced to leave by natural hazards (e.g. floods, earthquakes, and landslides) or disasters like industrial explosion and chemical pollution. The distinction between development and environment displacees are not again clear, because development projects can lead to environmental change in space and time, like dam may cause land degradation or increased flooding in downstream after construction.

The basic problem is the lack of generic criteria for distinguishing one type of ‘environmental refugee’ from another. Diane Bates, however, tried to distinguish ‘environmental refugees’ based on characteristics of environmental disruption: its origin (natural or technological), its duration (acute or gradual), and whether migration was a planned outcome of the disruption (intentional or not).<sup>3</sup> Disruptions may be caused by disasters (natural and/or technological) or by expropriations of environment or deterioration of environment. While researchers broadly agreed to include disaster refugees and expropriation refugees under the group of ‘environmental refugee’, most of the debate however focused on deterioration refugees. It is argued that due to climate changes, living conditions deteriorate, forcing people to migrate. The basic problem with the deterioration refugee is the difficulty to distinguish them from ‘economic migrants’. Stijn Neuteleers cited two main reasons. Firstly, there is a clear interaction between economic, social, political and environmental causes of migration. It is very difficult to disentangle environmental factors from other factors as major stressor. Secondly, because environmental deterioration is a gradual process, people can anticipate future environmental deterioration. Similarly, economic migrants are people who choose to flee from poverty caused by social, political and environmental factors; but the same applies to people for gradual environmental deterioration. He further argued that the idea of environmentally induced migration covers too many qualitatively different subgroups in addition to the problem of disentanglement between environmental cause and other causal factors. This demands different kinds of policies. For him, these problems, however, can be met with more refined classification. Various subgroups of ‘environmental refugee’ have been identified: disaster refugees, expropriation refugees, ecocide refugees, survival refugees and pure environmental refugees

based on objective criteria of environmental disruptions. Nonetheless, there remains other category of forced migrants caused by environmental problems along with other causal factors who cannot be identified undisputedly as 'environmental refugees'. Case studies in specific context can provide qualitatively different subgroups that need some kind of labeling. Identification of category that matches the characteristics of the particular subgroups allows the development of policy strategies for protection and assistance.

On the other hand, Stojanov et. al provides three-fold classification of EfPD on the basis of contextual understanding. The first category is environmental migrants—people who exercise their choice from their original habitat. These people move as they perceive or experience environmental stimuli-like pollution, natural hazards, and land degradation as push factors. Secondly, environmental displacees—people who are forced to leave their usual place of residence because their lives and livelihoods are at serious risk as a result of adverse environmental processes, like natural hazards, severe land degradation etc. It may be further subdivided into two groups—slow onset and rapid onset environmental displacees. Slow onset environmental displacees are those who have a relatively longer time to prepare for moving but ultimately are forced to move. For example, migration due to repeated crop failures, perhaps due to creeping land degradation. On the other hand, in rapid onset, environmental displacees forced to leave from their habitat at short notice due to sudden hazards. The third category is development displacees. They are intentionally relocated, not by their own choice, but due to a planned usage of land for industrial activity or defense installation that changes the environment. Here the migration drivers and causes are clearly anthropogenic.

Here also, several conditions like 'tend to' and 'usually' are being used to describe various categories. Classifying forced migrants from migrants in general is basically a methodological problem. It is, in fact, difficult to separate out a discrete type of migrants. A closer look reveals that most migrants make their decisions to relocate under complex set of external constraints and predisposing events. Though those constraints and events vary, there are elements of both compulsion and choice in decision making process in migrants, creating fuzzy boundaries between voluntary and involuntary migrants. Conceptually speaking, there are lots of migrants who are forced to relocate for the deficiencies in the local economic, social, or environmental context. For example, some people can anticipate forthcoming environmental deterioration of local situation, making their choice more voluntary than those who choose to migrate at a later stage, but both migrants are still leaving because of the same phenomenon. Early migrants have the ability to relocate whereas late migrants fail to recognize changes. Some others may lack means to leave earlier despite recognition of deterioration. Besides, many migrants do make decisions based on limited set of opportunities. It is interesting to know the extent of choice open to them, rather than lumping people together into categories. This may create several blurring and overlapping of categories—a 'continuum' based on people's decision to migrate, time scales and speed of

migration. A summarized version of typologies of EFPD has been provided by scholars in Table 2.

**Table 2:** Some major typologies of environmentally forced population displacement

El-Hinnawi	Suhrke	Castles	Bates	Renaud et.al.	Neuteleers	Stojanov et.al.
Temporarily displaced people	Environmental refugees	Development displacees	Disaster refugees -natural -technological	Environmentally motivated migrants	Disaster refugees	Environmental migrants
Permanently displaced people	Environmental migrants	Environmental displacees	Expropriation refugees -Development -Ecocide	Environmentally forced migrants	Expropriation refugees	Environmental displacees -slow onset -rapid onset
Permanently migrating people		Disaster displacees	Deterioration refugees -pollution -depletion	Environmental refugees	Ecocide refugees	Development displacees
					Survival refugees	
					'Pure' environmental refugees	

### Evidences of Overlapping and Blurring Categories: Some Case Studies

It is argued that people do not move due to single reason. People migrate to other places not necessarily because of environmental but also due to other factors. The decision to move involves a complex web of multiple factors- individual perception and understandings or collective decisions for family or cultural groups, within specific local, regional, national or international, economic, social and political contexts. That means, decision making – whether to move, when and where to move -plays active role in migration. It



can be difficult to categorize displaced people only on the basis of environmental change, but also due to the combined effects of conflict, the environment, their inability to cope with natural environmental fluctuations, economic or livelihood pressures<sup>34</sup> and variation in decision making of migrants. Typologies provided by scholars (discussed in earlier section) are not universal. There are, in fact, a lot of sub categories based on the nature, time and speed of migration process. For example, if a faulty valve causes problem at a nuclear power plant which exposes management and design flaws in a nuclear power plant that is clearly technological. If an earthquake leads to a tsunami it is difficult to identify cause of hazard as either natural or technological or combination of both, as it occurred in the Fukushima facility in Japan in 2011. Thus classification of EFPD becomes problematic. There exists a continuum in motivations to migrate, decision making process and time period rather than absolute, definitive, and universal categories and thereby demands contextual studies. Rather than identifying neat categories, contextual case studies based on experiences of migrants should be undertaken and thereby develop qualitatively different groups, ensuring descriptive power and policy relevance. Here we present three case studies which are distinctive in their particular context. To highlight the overlaps in and limitations of categories in typologies, a field level case study of flood disaster displacees will be presented. In addition, the case studies of Tuvalu in Pacific Island and inhabitants of Tortugo, Puerto Rico based on qualitative research drawn from the literature will also be discussed.

### **CASE STUDY I: Flood Disaster Displacees at Buxa Tiger Reserve, West Bengal, India**

The Buxa Tiger Reserve (BTR), a national park<sup>35</sup>, has dense, diverse vegetation cover and can boast of a rich wildlife. It is located in Alipurduar subdivision of Jalpaiguri district, West Bengal, India. BTR has 37 forest villages<sup>36</sup> within its boundary. The dominant ethnic groups are Nepali, Rabha and Oraon.<sup>37</sup>BTR is also encircled by 34 tea gardens and 46 revenue villages on the western and southern sides (2 km from the park boundary).

It has been reported that BTR is experiencing recurrent floods, which have become an annual feature leading to huge damage to forest habitats and human settlements (Management Plan of BTR 1999-2009, Dept of Forests, Govt of WB, India). Local people are either under threat of displacement or are forcefully dislocated.<sup>38</sup>Two major problems faced by BTR has been put forward that exacerbate flood disaster, destroying forest habitat and the lives and livelihoods of the local villagers inhabiting the Reserve. They are locational disadvantage of the park and enforcement of stringent conservation laws for deprivation of rights in accessing forest resources.

This reserve is intercepted by several rivers and streams (or *jhoras*) which generally originate from the Eastern Himalayan region bordering Bhutan in the northern part of India. These rivers intercept the various areas of the forest habitat of Buxa and frequently change their main course causing extensive loss of the forest habitat during flood. In the months of July and

August, the monsoon is at its peak in the region; consequently, the hilly rivers and streams are at their destructive peak. Boulders, debris, trees, etc. are carried downstream, which get accumulated at places and form barriers. As a result, the original river beds are raised in relation to banks of the river, leading to diversion of rivers and streams. It leads to huge destruction of plantations and human settlements in the Reserve. Continuous erosion of banks and intermittent landslides add to the accumulation of boulders, bed materials, debris and trees. The river-beds become silted and reach the level of the adjoining settlements or roads, or even risen above the settlement level or roads, causing severe flood and loss of cultivable lands of villagers, wildlife habitats and plantations. It has been observed that siltation is occurring at an alarmingly high rate of 2 to 4 feet per year at a few places.<sup>39</sup> Estimate suggests that about 1596 hectares of forest area were damaged due to changed courses of streams (*jhoras*) and rivers within the Reserve.

Despite these huge damages to plantation and settlement areas due to frequent changing of the courses of rivers and streams, forest authorities are not entitled, as they claim, to remove boulders, debris or trees from the river course caused by persistent erosion of river banks and intermittent landslides, leading to heavy siltation and blocking of original courses of rivers. The critical factor behind the denial of permission for removing blockages is the universal adoption of the western philosophy of forest management, the 'isolationist' paradigm of forest management, particularly in developing countries. Wildlife biologists and conservationists believe that conservation of biodiversity can only be achieved without any kind of human interference.<sup>40</sup> The creation of 'inviolable space' seemed to be the best way to preserve the remaining biodiversity of the earth. One of the basic assumptions of this paradigm is that human interference invariably causes disturbance to wildlife and degrades biodiversity. Following this 'Yellowstone National Park model' of management strategy, a legal framework was constituted in India in 1972, which is popularly known as Wildlife Protection Act (WLPA) 1972<sup>c</sup>. It seeks to exclude local communities from the forest reserve to stop biotic pressure.

At BTR, human activities like collection of fallen and dead wood, grazing and habitation are allowed, subject, however, to the approval of the District Collector in consultation with the Chief Wildlife Warden (the highest official in wildlife wing). So, it is a kind of concession, not a right over the resources. It has tremendous implication on the question of local people's access to livelihood. A blanket restriction on human activities, as in the case of national parks, and severe restrictions on resource extraction, as in sanctuaries, has been a recipe for further impoverishment of the local people and have given rise to conflicts between local people and PA managers.<sup>41</sup> <sup>42</sup>In fact, these rules and regulations actually threaten the lives and livelihoods of the forest villagers as well as the ecosystem and plantation areas, especially in situations like BTR where frequent and devastating floods occur accompanied by continuous changing of the courses of rivers and streams. As there is an increasing soil erosion and landslides in hilly regions with climatic change, increased deforestation and infrastructural development activities in Bhutan areas, excessive boulders and debris are carried over which get accumulated in

the lower part of the river courses, forming barriers. Extraction of materials like logs, boulders, debris, etc., has been stopped by the Supreme Court ruling passed in the year 2000. Consequently, the MoEFCC released a 'Hand book of FCA, 1980; FC Rules 2004 and Guidelines and Clarifications', in which the order was explicitly stated:

'The Supreme Court has passed an order on 14.2.2000 restraining removal of dead, diseased, dying or wind-fallen trees, drift wood and grasses etc., from any national park or Game Sanctuary.....In view of this, rights and concessions cannot be enjoyed in the Protected Areas(PAs).'

This order has resulted in widespread ramifications in ecological as well as livelihood of the forest villagers of BTR. In ecological sense, huge damage to wildlife habitats has occurred due to changed courses of streams (*jboras*) and rivers. The excluded forest-dependent communities are marginalized, some cultivable, as well as homestead lands have been lost, or facing the threat of loss, due to frequent course-changing of rivers and streams and income opportunity from the collection of boulders and bed materials has stopped due to enforcement of existing laws under WLPA 1972. So locational disadvantage of the park, and enforcement of stringent laws for deprivation of rights, in forest access, actually destroyed forest habitat, dislocated forest villagers from their habitat and dismantled production system. Following detailed case study may be reflective regarding complex interaction between several factors that triggers dislocation and thus pose problem in putting within existing categories of EFPD.

A micro level field study in a forest village (FV) Bangdoba, under the administrative control of BTR provides experiences of displacees who are forced to leave due to flood disaster, discussed in details elsewhere. The case of Bangdoba FV in the context of promulgation of conservation laws provides us unique opportunity to examine the possibility of locating 'flood disaster displacees' in the environmental refugee discourse. In this case, forest villagers have been displaced from their original habitat permanently and are experiencing refugee-like situations in their day to day activities in the relocated area. Here the forest villagers were actually forced to leave due to flood disaster, as their entire settlement and agricultural lands were completely washed out and made uncultivable by floods. It is also observed that other forest villages like Bhutri FV of BTR are also under the threat of extinction due to changing river courses across the Reserve, which leads to destruction of forest habitat. In the north western part of the reserve, a river i.e. Pana originates in the Bhutan hills. One part of the river Pana in the north western part of the reserve flows through Bhutri forests and another flow through Pana forests. Both river courses merged with Gaburbasra River which also originates in the Bhutan hills. The reserve receives discharges of Pana River in its upper catchments. It has damaged lots of forest tracts of Bhutri and Pana blocks. As Pana River passes from east to south and Gaburbasra River passes from west to south part of the Bhutri forest village, it is now almost island like area. About 20% of total cultivable lands of Bhutri forest village have been washed away by changing course of Pana River since 1973 onwards. The fear of further damage has increased among the villagers due to the construction

of *Hatibandb*(dyke) over Pana River on north-eastern side to save nearby tea gardens owned by private entrepreneurs. This embankment has been considered as the principal cause of habitat destruction. So here lies a well-founded fear of persecution by flood disaster that has a linkage with ecosystem fragmentation due to human intervention. Moreover, as the case of Bangdoba FV revealed, villagers have no option but are forced to relocate due to flood. So, displacees can be placed at the involuntary end of the continuum. At the first sight, they may be considered as 'environmental refugees' or 'environmentally displaced persons' as conceived by G. Hugo. Though it is observed that flood disaster is the immediate cause of forced relocation, it is difficult to identify factors which cause recurrent floods.

The ecosystems of Eastern Himalayan region have been fragmented due to migration, economic development and population increase along with climatic change.<sup>43</sup> Fragmentation and fragility of ecosystem often cause soil erosion, mass wasting, landslides<sup>44</sup>, ultimately affecting the downstream areas. These incidences along with intense monsoon rainfall lead to frequent flooding in the foothills and the areas downstream, and decrease in soil fertility level. This leads to reduction in crop yields and agricultural productivity, threatening livelihood of the local people.<sup>43 45</sup> Thus, the event of flood is acute and the dislocation of forest villagers is unintentional. Besides, forest villagers are either facing continuous threat of destruction of productive assets or compelled to leave the original settlement causing further impoverishment. Fragmentation of Eastern Himalayas due to economic development by state and population pressure causing soil erosion, mass wasting, and landslides and thereby changing course of rivers may be treated as human intervention. In addition, enforcement of conservation laws for protection of biodiversity resources is basically a development measures on the part of state agency. That means, development interventions actually augment the possibility of habitat destruction by changing the course of river. The present case showed that some sort of linkages exist between environmental degradation, locational disadvantage, enforcement of conservation laws and consequent effect in terms of flood disaster. That means, flood disaster in this case, is the result of interaction of anthropogenic and natural disruptions in the environment and thus difficult to place in existing typologies. But the relations of various factors are not clear and straightforward and these types of migrants are basically overlapping and blurring categories in the context of existing categories.

### **CASE STUDY II: Inhabitants of Tortugo Puerto Rico, Mexico**

Though scholars categorised various forms of EFPD but the causal links between environmental change and population displacement are not clear and straightforward. For example, the distinction between development and environment displacees are somewhat fuzzy, because development projects can lead to environmental change in space and time. However, there was an attempt to classify EFPD based on objective criteria. For example, Diane Bates tried to distinguish various types of EFPD based on characteristics of

environmental disruption. Thus various categories and subcategories have been identified like disaster refugees, expropriation refugees and deterioration refugees, based on its origin, its duration and whether migration was a planned outcome of the disruption. But these categories were contested by scholars. They cited several examples which could not be located within these categories.

Jodi Jacobson identified a category of forced migrants which does not fall into the categories of 'natural' and 'technological' disaster. She argued that those disasters are the result from interaction of anthropogenic and natural disruptions in the environment. These events are 'unnatural disasters'. For illustration, she cited the example of inhabitants of Tortugo, Puerto Rico who were displaced by flooding. The inhabitants of Tortugo had settled on the banks of a small stream. Adjacent development channelled storm runoff to this stream and redirected its course through a small culvert. In light rains, the culvert became congested with garbage blocking water course. When the water forced its way through, it swept through Tortugo, reaching levels higher than inhabitants had seen before. Finally, the inhabitants relocated after the community felt it unfit for habitation in that area. In this case, the flood was caused by natural rain, but augmented to a dangerous level by developmental interventions. For her, this type of 'unnatural disaster' could be interpreted as amalgamation of natural and man-made disaster. Thus, this type of migrant is basically overlapping and blurring category in the context of existing categories.

### **CASE STUDY III: Tuvalu archipelago in Pacific Ocean**

Some scholars have identified climate change as environmental cause for population displacement, for example, low lying islands.<sup>46</sup> The Tuvalu archipelago in the Pacific Ocean is threatened by sea level rise caused by climate change. They are considered as the ideal type of environmental refugee for two reasons. First, one can unambiguously differentiate environmental cause from other causes. Whatever local policy is implemented, rising sea levels will not be influenced. Second, not only environmental reason, the responsible factor for population movement is obvious in this case. Here there is a clear link between polluting actors and victims of pollutions. Stijn Neuteleers identified them as 'pure' environmental refugee. But others have shown that migration from Tuvalu Island took place not only because of environmental, but also due to livelihood and family reasons.<sup>47</sup> In Tuvalu, some proactive inhabitants know they will eventually have to leave due to climate change and are able to afford the complex and costly process of migration (to New Zealand). They generally have more education, resources and awareness of their choices and could be termed as environmental migrants. On the other hand, climate change affects the living status as well as psychological conditions of people. Inhabitants are embedded with emotional effects including anxiety; disappointment, hopelessness, and even resentment over the possible effects of climate change on their homeland and the feeling that they are forced to leave as a result of

destructive phenomenon (sea level rise due to green house gas emission by developed countries) <sup>4849</sup>. But these two categories clearly overlap each other. It is evident that inhabitants are of two types based on economic disparity—one group with resources who are able to emigrate easily, and other without resources, incapable of moving without assistance. Some inhabitants who want to migrate but do not have the resources might have the options to take loans or to reach out to their kins and friends for support. In addition, not all affluent inhabitants necessarily choose to migrate. Thus environmental migrants and environmental displaced categories are not clear. They blur together when climate change mixes with other factors such as livelihood and family reasons. It is not straightforward and may be conceived as continuum.

Similarly some inhabitants of the islands forced to move when Tuvalu's capital island Funafuti was hit by three tropical cyclones (like Cyclone Bebe in 1972) may be placed in the category of rapid onset of environmental displaced. But it is also true that people do not always move just after hazard strike though they do decide to migrate. It might take months or years for a decision to be made. Again, it is unclear whether the people moving are migrants (as they make an active choice to move when they could have the option to stay), are displaced (as they have no choice but to move), or are in between (as they feel that their best choice is to move or they are uncertain but use the hazard as an excuse to move).

In addition, there are other types of population displaced in Tuvalu Islands. During World War II, the US Navy constructed an airstrip and allied facilities on the lagoon side of the island, changing the environment and forcing many inhabitants to leave as development displaced. Here, people were either forced to move due to the US Navy's construction, or they were not. There is no ambiguity, a case of clear and definitive category. They are entitled to get compensation and assistance from the authority. Thus, the case of Tuvalu Islands provides various types of environmentally-caused population displacement with some overlapping types of migrants.

In general, the local context shows that the categories can help in identifying/ depicting motivators of EfPD but cannot be unambiguously fixed within certain category. From policy perspectives, the contextualisation of the categories shows that motivators of population displacement are mixed and complex. Thus, providing assistance to one category, could lead to problems in distinguishing the eligible from the ineligible in that category. It is argued that a more nuanced approach for helping environmentally caused population displacement from Tuvalu Island would be required, considering local contexts at different time period across a range of categories.

### **Concluding Remarks**

Typology of EfPD is important for policy relevance and operational significance. Attempts have been made to categorise different types of EfPD. The relationship between environment and forced displacement is not linear and straightforward, and its understanding raised a lot of conceptual challenges. These challenges are embedded in the complex relationship

between socio-ecological systems and in the nature of causality between such complex phenomena as we have observed in the case of 'environmental refugee', discourse. The linkage between environment and migration is complex as environmental conditions are a part of general context whereas migration decisions on where, when and how to move, are often made by individuals. Thus, the relationship between the environment and migration is rarely direct, causal or unidirectional. It is often indirect, contextual and/or with feedback loops.<sup>50</sup> The decision to migrate can be conceptualised as a continuum ranging from voluntary migration at one end to involuntary migration at the other. In between these two extreme conditions, there are a lot of migrants who have more control or less control over the decisions to migrate. Temporal continuum exists between short and long term, involving temporary relocation to permanent migration with several possibilities between these two extremes. Thus it is difficult for broader categorisation to absorb different types of qualitatively diverse types of migrants.

Existing typologies and definitions of EFPD provide a basis for considering a wide variety of drivers and motives for movement, covering different time and space scales. The motivation to leave includes a complex interaction of factors like individual belief, pursuit and dreams or collective decisions of family or cultural groups, within specific local/regional/national/international social, economic and political contexts.<sup>2</sup> As a result, a continuum of motivation exists in population displacement. This continuum provides a large degree of overlapping and blurring of categories, rather than absolute, definitive and universal categories. Thus subjectivity is usually required to be assigned to a specific category. Some empirical case studies discussed here reflect a lot of blurring and overlapping of categories.

For developing typology of environmentally caused population displacement, various characteristics like migrants' motivations, drivers, time, speed and space characteristics should be included-based on the evidence from case studies. Instead of universal typology, contextual understanding that includes various interacting factors such as environmental, social, cultural, political, developmental and physical issues is essential. There is urgent need of more and more empirical studies to contextualise environmental change and forced displacement. These will provide informed understanding to explain why certain variables lead to different migration patterns in diverse contexts. To get broader description of a context from the perspective of individual variables like sex, age, class and occupation to household and community level—can provides diverse responses and priorities that get shaped during migration decisions. These types of geographically and culturally nuanced understandings can help policy makers to recognize the diversity of environmental risks and responses at different places and within different cultures.<sup>5152</sup> Based on these contexts, typologies of qualitatively different migrant groups could be developed to help in preparing policies of assistance for equity and justice.

## Notes

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# Climate Change Adaptation Actions in Bangladesh: A Critical Review

By

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## Introduction

Bangladesh contributes little to global greenhouse gas emissions yet is one of the most vulnerable countries to climate change. Since it sits at the intersection of three major river basins and features flat deltaic topography with low elevation, it is prone to a multitude of climate-related events such as floods, droughts, tropical cyclones and storm surges. Fifteen percent of its 162 million people live within one-meter elevation from high tide<sup>1</sup>, yet annual floods inundate between 20% to 70% of the country's landmass each year<sup>2</sup>. Bangladesh has high population density and rates of poverty, being the seventh most populous country in the world with a density greater than one thousand persons per square kilometer, and yearly per capita income ranging between \$400 and \$1,700 (depending on what one counts and whether they adjust for purchasing power parity). Bangladesh also has extreme climate variability, naturally alternating between seasons of monsoon and winter drought, and it is dependent on crop agriculture, highly sensitive to changes in climate<sup>3</sup>. It is reputed to be the most vulnerable country in the world to tropical cyclones and the sixth most vulnerable country to floods. Thus, building responsiveness to climate change through adaptation has been recognized as necessary to the very political and economic survival of the country<sup>4</sup>. This article aims to provide an analytical description of “who-is-doing-what” in the field of climate change adaptation in Bangladesh, and to analyze and identify the critical gaps and challenges for implementing adaptation policies through national and the local government and nongovernment actors. In the context of this study, climate change refers to the immediate and long-term projected effects of a warming atmosphere. The article primarily focuses on activities related to building resilience to climate

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change, such as disaster risk reduction (DRR), disaster risk management (DRM), and climate change adaptation (CCA) initiatives. Climate change mitigation activities, such as low-carbon growth and renewable energy schemes, have only been considered herein as long as they are incorporated into adaptation initiatives. The article reviews the existing policy and institutional framework, funding mechanisms, and major institutional actors working in the field of climate change adaptation in Bangladesh in order to arrive at a better understanding of their current priorities as well as the critical areas that are not being addressed. The study also looks into the gender dimensions of climate change adaptation projects, as well as the overall policy framework for gender and climate change. All these issues have been reviewed and analyzed primarily from the standpoint of good governance, focusing on the issues of accountability, responsibility, transparency and participation in policy making and planning, program implementation, institutional framework, and financing mechanisms for climate change adaptation in Bangladesh from the local to the national level.

### **Bangladesh: Country Background**

Bangladesh has been experiencing its extreme vulnerability to climate related impacts. Most of Bangladesh lies in the delta of three of the largest rivers in the world – the Ganges, the Brahmaputra, and the Meghna, or GBM. These rivers have a combined peak discharge of 180,000 cubic meters per second during the flood season, the second highest in the world after the Amazon and carry about two billion tons of sediments each year.<sup>5</sup> Bangladesh is at risk not only to flooding and tidal inundation on the coasts, but also advanced melting of the Indian and Nepali Himalayan glaciers. This effectively means the country is hit on “both geographic sides” as well as during “both seasons:” Climate change is disrupting natural cycles of rainfall and snowpack on the Tibetan Plateau which feed Bangladesh’s major rivers, and also increasing flooding, saltwater intrusion, and storm surges on the coastal belt; it is also creating excess rain during the monsoon season, and inducing a shortage of it during the winter drought.<sup>6</sup>

Further compounding matters, the topography of the country is low and flat. Two-thirds of its critical infrastructure is less than 5 m above sea level and is therefore susceptible to naturally occurring river and rainwater flooding and, in lower lying coastal areas, to tidal flooding during storms. Indeed, Mirza documented that Bangladesh is perpetually at risk to four distinct types of flooding: flash floods which occur on the eastern and northern rivers, along the borders of Bangladesh, resulting from heavy rainfall; riverine floods which result when the GBM rivers or their tributaries simultaneously reach their peaks, which tend to rise and fall slowly over a 10–20 day cycle; rain floods due to high intensity local rainfall during the monsoon; and storm surge floods caused by tropical storms and cyclones which affect tidal flats and low-lying islands.<sup>7</sup>

However, once every 4–5 years, severe flooding induces substantial damage to infrastructure, housing, agriculture and livelihood. Serious floods

occurred in Bangladesh in the last 25 years and their impacts were devastating. A severe tropical cyclone also hits Bangladesh, on average, every 3 years resulting in extensive damage to houses, livestock, and human health<sup>8</sup>. One cyclone in November 1970 produced winds as strong as 220 km per hour and a storm surge 9 m high, resulting in 300,000<sup>9</sup> to 500,000 deaths<sup>10</sup>. Another cyclone in April 1991 generated a storm surge 8 m high that displaced 11 million people and caused 138,000 deaths.

Indeed, Bangladesh has been hit by 154 cyclones from 1877 to 1995, a rate of more than one major cyclone per year<sup>11</sup>, and it has also been subject to 174 separate natural disasters from 1974 to 2003<sup>12</sup>. Bangladesh, what one respondent even called “the most flood prone country on the globe,” experienced 21 above normal floods, four exceptional floods, and two catastrophic floods from 1954 to 2010<sup>13</sup>. One flood in 1988 reduced agricultural production by 45%, and a 1998 flood resulted in the loss of more than two million hectares of arable land used for rice cultivation<sup>14</sup>. The most recent severe flood in 2007 inundated 42% of the country’s land area (62,300 square kilometers), caused 1,110 deaths, submerged 2.1 million hectares of cropland, destroyed 85,000 homes, damaged 31,000 km of roads, affected 14 million people, and induced \$1.1 billion in damages<sup>15</sup>. To put the damage in perspective, \$1.1 billion is equal to all public debt listed by the government in 2008. Between 1954 and 2009, six major floods have inundated more than one-third of the country’s landmass. Another respondent mused that “if Bangladesh was part of a country like the United States, it would have been permanently evacuated by now.”<sup>16</sup>

### **Bangladesh’s Vulnerability to Climate Change**

Disturbingly, such floods and natural disasters are projected to get worse over the next few decades. A synthesis of 16 General Circulation Models and three emissions scenarios in the Intergovernmental Panel on Climate Change expects Bangladesh to see temperature increases of 1–3°Celsius by 2050<sup>17</sup>. Basically, this warming will create problems associated with water: too much of it during the monsoon seasons, and too little of it during the winter. Temperature increases will likely see sea levels rise, increasing river water levels, water logging, erosion, and flooding during the monsoon; and salt water intrusion and shortages of water for irrigation and agriculture during the winter.<sup>18</sup> Agrawala anticipate four primary negative changes in climate and precipitation: accelerated glacier melting from increased runoff from the neighboring Himalayas, increased rainfall during the monsoon season, sea level rise leading to flooding under ambient conditions and severe flooding during storm conditions, and increased frequency and intensity of cyclones. Every area in Bangladesh is prone to at least one of these four types of floods. Various academic literatures suggested that four following causal factors will create significant damage in key sectors in Bangladesh.<sup>19</sup>

First, and most critical, is water resources and coastal zones. Agrawala identified coastal zones as “the highest priority sector” in terms of certainty, urgency, and severity of climate-related impacts, as well as the economic

importance of the resources being affected. Coastal areas comprise some 32% of the country's total area and more than 35 million people live in coastal areas less than 1 m above sea level.<sup>20</sup> Several studies indicate that the vulnerability of the coastal zone to climatic changes could worsen in the near term due to the confluence of sea level rises, subsidence, and changes of upstream river discharges, cyclones and the erosion of coastal embankments.<sup>21</sup>

These pressures produce four key types of primary physical effects:

- i) **Saltwater intrusion:** The effect of saline water intruding into estuaries and contaminating groundwater will increase as sea levels rise and river flows decrease. Water supplies for coastal agriculture, public consumption and industrial use will be severely affected. As one of the respondents noted, "Salinity encroachment towards the fresh water zone is phenomenal. Studies show that at present, almost 100 km inward salinity has encroached in the fresh water zone. It has been found that in the areas where a person used to grow rice paddies, now salt is being processed. As a result there is a complete change in economic activities of these coastal communities."
- ii) **Drainage congestion:** The combined effect of higher sea levels, subsidence, siltation of estuary branches, higher riverbed levels and reduced sedimentation in flood-protected areas impedes access to water for irrigation and drinking. One respondent noted that "poor drainage capacity will gradually increase water problems particularly in the coastal zone. The problem will be aggravated by the continuous development of infrastructure like roads reducing further the limited natural drainage capacity in the delta. Increased periods of inundation may hamper agricultural productivity, and will also threaten human health by increasing the potential for water borne diseases."
- iii) **Damage from natural disasters:** In the coming decades, the number of coastal populations in need of annual emergency relief such as medicine and food will continue to increase as more frequent and severe climate events occur.
- iv) **Coastal morphology:** Bangladeshi coastal morphological processes are extremely dynamic, partly because of the tidal and seasonal variations in river flows and runoff. Climate change is expected to increase bank erosion and bed level changes in coastal rivers and estuaries, and accelerate disturbance of the balance between river sediment transport and deposition in rivers, flood plains, and coastal areas. Disturbances of the sedimentation balance will result in higher bed levels of rivers and coastal areas, which in turn will lead to higher water levels. <sup>22</sup>Second are infrastructure and human settlements. Experts expressed concern that high water levels in rivers surrounding polders—human made low lying tracks of land enclosed by dykes—may increase in the range of 30–80 cm, completely flooding them by 2100. Earthen embankments constructed by the Bangladesh Water Development Board are subject to erosion, and with a 45 cm rise of sea level, respondents told us they expect 15% of the land in Bangladesh to be inundated by the year 2050, resulting in more than 25 million climate refugees

from the coastal districts. Especially vulnerable in these locations would be char dwellers and women: char dwellers because they live in constantly changing islands, or chars, in the coastal district but build kacha homes made of muli bamboo, mud, and tin roofs that can be easily swept away in floods<sup>23</sup>; and women because they contribute a disproportionate amount of their time rebuilding homes and caring for family members.<sup>24</sup>

Third is agriculture and food security. Bangladesh is a highly agricultural society; agriculture accounts for 63% of its labor force and 35% of its Gross Domestic Product. Rice occupies 80% of total cultivated land area but droughts during the winter season threaten all three major types: aman, aus, and jute. Adjusting is a costly option for farmers who usually need to mortgage assets or borrow money to re-sow seedlings, replace crops, pay for irrigation, or migrate. Over the past six decades, the seasonal cycle has changed dramatically, pests and diseases have increased, average temperature has increased, the winter has shortened, and Fig. 6 shows significant deviations in expected rainfall. Baas and Ramasamy predicted that by 2050, dry season rainfall could decrease 37% further<sup>25</sup>.

Anticipated higher temperatures and changing rainfall patterns, coupled with increased flooding and rising salinity in the coastal belt are likely to reduce crop yields and crop production, taking their toll on food security. The Bangladeshi government estimates that, by 2050, rice production could decline by 8% throughout the country and wheat production by 32%. In eastern Bangladesh alone the Government of Bangladesh projects that 14,000 t of grain production could be lost to sea level rise in 2030 and 252,000 t lost by 2075.<sup>26</sup> Ahmed and Alam assessed agricultural vulnerability to climate change in Bangladesh and concluded that drastic changes in evaporation and precipitation for both the winter and monsoon seasons were highly probable.<sup>27</sup> Karim calculated that a 17% loss in overall rice production and as much as a 61% decline in wheat production in the next few decades is likely; they caution that any positive increases in yield will be more than offset by moisture stress.<sup>28</sup> Habibullah projected a significant loss of food grain production in coastal belts due to soil salinity intrusion, making affected lands unsuitable for a variety of crops.<sup>29</sup> Such stark projections have been confirmed by a number of other studies.<sup>30</sup> Also, experts expressed worry that increasing temperature could alter soil composition, further affecting crop yields. As one explained:

Climate change can bring major changes to agricultural productivity in Bangladesh. During the last 30–40 years a typical farmer has made continuous changes in farming practice. From initially growing rice paddies, farmers have generally moved to grow wheat and then to potatoes because of declining yields over the period of time as a result of changes to temperature and soil moisture.... However only rich farmers have been able to afford such changes and marginal farmers are still following traditional practices and have not been able to sustain their livelihoods due to low yields. As a result, they are selling their lands and migrating elsewhere. Seasonal droughts in the country are another climatic threat to crops, causing hardship to poor agricultural laborers and others who cannot find work.<sup>31</sup> Fourth is forestry.

Bangladesh is endowed with a number of natural forest ecosystems including inland Sal forest, dipterocarp forest, savanna, bamboo bushes in the hilly regions and freshwater swamp forests<sup>32</sup>. One study qualitatively analyzed the impact of climate change on forest resources of Bangladesh and found that increased rainfall during the monsoon would accelerate runoffs in forest floors instead of infiltration into the soil, causing severe erosion. Prolonged floods would severely affect growth of many timber species, causing a high incidence of mortality for *Artocarpus* species. Tea plantations in the northeast could also suffer from changes in moisture and humidity. The Sundarbans mangrove forest could be the most severely affected since climatic changes would alter evapotranspiration and flow rates in the winter, increasing the salinity of the soil. Respondents cautioned that eventually non-woody shrubs and bushes would replace healthy indigenous species offering dense canopy cover, and overall forest productivity would decline significantly. Coastal forests are also at grave risk to flooding and erosion.<sup>33</sup>

Fifth are fisheries. Fish are a staple of Bengali culinary fare, with 80% of the daily animal protein intake in Bangladesh coming from fish and the fisheries sector contributing 3.5% to GDP.<sup>34</sup> Yet storm surges and increasing tidal waves from climate change could destroy the variety of fishes and cause loss of fish productivity. Recent studies revealed that varieties of fishes in Bangladesh had drastically lessened and one of the key reasons behind this fish variety loss is adverse impacts of climate change. If this condition goes unattended, it will result in scarcity of fishes and threat to food security.<sup>35</sup>

### **The Concept of Climate Change Adaptation (CCA)**

Conceptually, a broad definition of adaptation commonly used is the 'adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities'<sup>36</sup>. As our understanding of what adaptation actually involves has improved over time, it has been recognised that adaptation can: 1) focus on either managing the impacts of the climate-related hazard, reducing exposure to the hazard, or reducing the vulnerability of elements at risk (though in reality responses may sometimes overlap in their categorisation); 2) involve a range of actors throughout society from governments down to individuals; and 3) manifest itself in many forms (the Stern Review, for instance, highlighted differences according to whether measures were anticipatory or reactive, private or public, autonomous or planned, etc.) . Recent attempts to make the concept operational, and hence more relevant for practitioners, have also found that distinguishing between process (building adaptive capacity) and outcome (the delivery of actual adaptation measures) can be useful.<sup>37</sup>

### **Why Adaptation Is Needed?**

Adaptation refers both to the process of adapting and to the condition of being adapted. The term has specific interpretations in particular disciplines.



In ecology, for example, adaptation refers to changes by which an organism or species becomes fitted to its environment; whereas in the social sciences, adaptation refers to adjustments by individuals and the collective behavior of socioeconomic systems. The act of adjustment in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts is known as Adaptation. This term refers to changes in processes, practices, or structures to moderate or offset potential damages or to take advantage of opportunities associated with changes in climate. Adjustments are done to reduce the vulnerability of communities, regions, or activities to climatic change and variability. Adaptation has two-fold importance in the climate change issue—one relating to the assessment of impacts and vulnerabilities, the other to the development and evaluation of response options. Adaptation actions and strategies complement mitigation. Mitigation is the process of reducing the likelihood of adverse conditions. On the other hand, adaptation can be viewed as reducing the severity of many impacts if adverse conditions prevail. The process of adaptation reduces the level of damages that might have otherwise occurred. However, adaptation is a risk-management strategy that is not free of cost or foolproof, and the worthiness of any specific actions must therefore carefully weigh the expected value of the avoided damages against the real costs of implementing the adaptation strategy. Adaptation management process depend on many factors, including who or what adapts, what they adapt to, how they adapt, what resources are used and how, and many others theme. Human societies have shown endearing capacity for adapting to different climates and environmental changes throughout the ages. As evidenced by the widespread and climatically diverse location of human settlements throughout the world, humans have learned how to thrive in a wide variety of climate regimes, ranging from cold to hot and from humid to dry. The proof of an inherent desire and capacity to adapt can be seen from the resilience and flexibility exhibited in the patterns of human settlements. Success of adaptation depends critically on the availability of necessary resources, not only financial and natural resources, but also knowledge, technical capability, and institutional resources. The types and levels of required resources, in turn, depend fundamentally on the nature and abruptness of the actual or anticipated environmental change and the range of considered responses. Adaptation processes are highly complex and dynamic, often entailing many feedbacks and dependencies on existing local and temporal conditions. The uncertainties introduced by the complexity, scale, and limited experience with respect to anthropogenic climate change explain the limited level of applied research conducted thus far on adaptation, the reliance on mechanistic assumptions, and the widespread use of scenarios and historical analogues. In addition, many social, economic, technological and environmental trends will critically shape the future ability of societal systems to adapt to climate change. While such factors as increased population and wealth will likely increase the potential level of material assets that are exposed to the risks of climate change, greater wealth and improved technology also extend the resources and perhaps the capabilities to adapt to climate change.<sup>38</sup>

## **Reviewing Policies, Institutions, and Financing for Change Adaptation Initiatives in Bangladesh**

This segment reviews the policy and institutional aspects of climate change programming in Bangladesh with a specific focus on: (a) the policy formulation process; (b) the policy dissemination, implementation, and monitoring/tracking mechanisms; (c) the gender dimensions in climate change policies; and (d) the institutional arrangements and capacity for climate change programming. The chapter also focuses on climate financing and the experience of managing climate funds in Bangladesh.

### **Climate Change and Related Policies**

In the absence of an overarching policy on climate change, experts as well as the stakeholders maintain that the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) is the de facto policy document that provides strategic direction for work on climate change related issues. Despite this, the need for a guiding policy on climate change and specific guidelines for designing and implementing the programs listed in BCCSAP has been emphasized.

### **Bangladesh Climate Change Strategy and Action Plan (BCCSAP)**

Bangladesh was one of the first countries to develop a climate change strategy and action plan. This evolved in two stages. The first strategic plan, developed during the tenure of the last Caretaker Government (2006-08), was heavily criticized by civil society organizations in Bangladesh for a lack of public participation, especially at the grassroots level, during the strategy development process. This immediately prompted the newly elected government to revise the final document in early 2009.<sup>39</sup> This revised document is now commonly referred to as the BCCSAP. The revision process involved consultation with various stakeholders including civil society organizations and the public. The program areas identified in the BCCSAP also reflect the research community's consensus on recommendations for climate change adaptation and disaster preparedness. The BCCSAP has identified six thematic areas and corresponding programs related to key sectors, including: agriculture and food security; human well being; water resources; disaster risk management; and infrastructure<sup>40</sup>. The BCCSAP also attaches importance to Low-Carbon Development while emphasizing the principle of "common but differentiated responsibility" outlined in the UN Framework Convention on Climate Change (UNFCCC), a demand made by many developing countries. In addition, the strategy outlines programmatic approaches such as institutional strengthening, human resource development, and research and knowledge management. The BCCSAP has identified 44 programs under the six thematic areas, and specifies institutions responsible for implementing these programs, including the government, civil society

organizations, and the private sector. With a total timeframe of 10 years (2009-2019), the implementation of this plan has been divided into four distinct phases.<sup>41</sup>

### **Sixth Five Year Plan (SFYP)**

A major step forward in the Government of Bangladesh's plans to address the potential impact of climate change is demonstrated through Bangladesh's Sixth Five-Year Plan (2011-2015). Unlike previous plans, the Sixth Five-Year Plan (2011-2015) pays significant attention to climate change issues and dedicates an entire chapter to adaptation and mitigation strategies for addressing climate change, "Chapter 8: Environment, Climate Change, and Disaster Management for Sustainable Development." It also identifies specific programs in line with the themes in BCCSAP, sets benchmarks for achieving programmatic goals, and outlines implementation strategies.

### **Other Sectoral Policies**

Some elements of climate change adaptation are addressed through specific sectoral policies. However, with the exception of the Coastal Zone Policy and the recently renewed National Agriculture Policy climate change issues have not been sufficiently highlighted in the national policy regime. Given the importance of climate change and its potential adverse implications on economic development and people's lives and livelihoods, revision of sectoral policies and explicit inclusion of climate change impacts and considerations in these policies were highlighted by the stakeholders as priorities.<sup>42</sup>

### **Institutional Arrangements for Climate Change Programming**

When the international discourse on climate change began over two decades ago, the Bangladesh Meteorological Department (BMD) was the primary institution focusing on issues related to the work of the IPCC in the early 1990s. Around the same period, the Government of Bangladesh formed an inter-ministerial steering committee and a technical advisory committee on climate change. The committees consisted of representatives of the GoB (Government of Bangladesh) from various ministries along with civil society representatives. From 2004-2009, the Department of Environment (DoE) and its Climate Change Cell (CCC) served as the technical support units for the Ministry of Food and Disaster Management (MoFDM) under their Comprehensive Disaster Management Program (CDMP). DoE coordinated climate change research, designed Bangladesh's National Adaptation Program of Action (NAPA) in 2002-2005, and represented Bangladesh in many United Nations Framework Convention on Climate Change (UNFCCC) related bodies. Today's institutional arrangements for climate change programming are divided primarily among the Ministry of

Environment and Forest, coordination among government ministries, the Bangladesh Parliament, and local government.<sup>43</sup>

### **Ministry Of Environment and Forest (Moef)**

Established by the government after Bangladesh signed and ratified the UNFCCC, the Ministry of Environment and Forest is the lead institution for work on climate change issues. The Ministry led the Initial National Communication (INCom) to the UNFCCC, the BCCSAP, and commissioned the preparation of the Second National Communication (SNC) to the UNFCCC. MoEF directs all climate change related policy issues and represents the country at international negotiations under the UNFCCC, a number of UNFCCC committees, and at conferences on multinational environmental agreements. The chief international negotiator on climate change for Bangladesh is from MoEF. Nationally, MoEF is the appointed institution to lead the implementation of climate change programming under the BCCSAP. The Minister for Environment and Forest generally responds to the queries on Bangladesh's preparation and response to climate change in the national parliament. In early 2012, the lead position for MoEF was upgraded from a state minister to a full minister. This change recognized the importance of the Ministry and the climate change portfolio, and was a step that sought to enhance the clout and negotiation capacity of the Ministry among other ministries. The MoEF also chairs the Local Consultative Group (LCG) on Climate Change and Environment, which is an apex coordination mechanism between the government and development partners on environment and climate change programs.

With the advent of international financing modalities on climate change and the availability of seed financing for three consecutive years from the government, MoEF has become active in mobilizing funds and instituting mechanisms for managing climate change funds. In 2010-2011, MoEF formed a Climate Change Unit (CCU) to provide support to the Bangladesh Climate Change Trust Fund (BCCTF). The CCU is still in its initial stages, and the government has pledged to recruit permanent staff for this. There are also discussions about forming a separate department under MoEF to manage issues related to climate change.<sup>3</sup> Prior to the formation of the CCU within the MoEF, the CCC in DoE used to maintain the information on climate change initiatives.<sup>44</sup>

### **Inter-Ministerial Coordination**

Although the strategic institutional framework for how government ministries are required to interact on climate change issues is not clearly articulated in the BCCSAP, the BCCSAP envisions climate change programming to function within a "multi-institutional architecture." National institutions, which predominantly represent the interests of public sector institutions and their allied agencies (such as Trustee agencies formed under a

certain ministry), are mandated to implement the BCCSAP 44-point agenda. NGOs are expected to have a role in some program implementation and capacity building. However, institutional linkages between various ministries, their allied departments, and national and local government institutions are not clearly articulated in the BCCSAP.<sup>45</sup>

BCCSAP seeks collaboration with a number of actors from government, institutions, and the public sector to implement the 44-point agenda. During DoE's tenure, the presently defunct CCC initiated a process to identify an institutional focal point in each ministry/agency and to provide them with a basic training on climate change issues. In addition to facilitating inter-ministerial coordination through these focal points, the MoEF embarked on a project called "Poverty, Environment and Climate Mainstreaming," in which the Ministry of Planning screens various investment projects submitted to the Annual Development Plan (ADP) in their design phase so that coordination with any relevant focal point may be fostered during the planning stage. Once operational, this mechanism is expected to ensure the integration of climate change into the design and planning of all projects under ADP.<sup>46</sup> Additionally, the Ministry of Planning has taken firm steps toward integrating climate change issues into the ADP process.

### **The Role of Local Government**

Local government institutions (LGIs), such as Union Parishads (UPs) and municipalities, are entities that operate at the local level and therefore have a direct understanding of the needs of people in their communities. Elected through direct votes from the local population, the representatives live in the respective constituencies and act as the first point of contact for most of the issues affecting the community members' lives and livelihoods. In addition, there are several standing committees within the local government that are related to climate change, e.g., disaster management, health, education, agriculture, etc.

As with most development interventions, LGIs have been partnering with NGOs and donors to implement climate change initiatives. The Reducing Vulnerability to Climate Change (RVCC) Project (2002 – 2005/4) had a component called "Integration of Adaptation in Local Planning." It enabled 14 UPs in the southwest of the country to incorporate disaster risk management into their local development plans.<sup>47</sup> The project was tested under the first phase of the Comprehensive Disaster Management Program (CDMP), a national program on disaster risk reduction, and has since been scaled-up and implemented in about 630 UPs in selected districts. . In the second phase of the CDMP, all the remaining UPs will gradually be brought under its coverage to implement climate change adaptation. It is therefore expected that all LGIs will be able to play a key role in climate change adaptation. Much, however, depends on how they engage in both public and private partnerships to build their technical capacity and how they are able to continue to finance programs. It has been observed that in recent years there

has been an emerging paradigm shift taking self-governing power from LGIs to a more centralized system through the engagement of the MPs in local development interventions.<sup>48</sup>

### **The Bangladesh Parliament**

In the milieu of institutional arrangements on climate change, the latest entrants –parliamentarians – have the potential to exert significant influence on institutional processes. An All Party Parliamentary Group (APPG) on environment and climate change was formed in 2009. It has taken initiatives to provide orientation training to about 140 members of parliament (MPs) on climate change issues and their roles. The committee has been vocal within the national parliament on climate change issues.<sup>49</sup>

### **Climate Financing Mechanisms**

Climate change financing in Bangladesh comes through national, bilateral and multilateral sources. Until 2009, most of the climate change financing was offered through small bilateral or UN-sponsored grant programs. The majority of such funds helped raise awareness about the threats of climate change and promote small-scale, community-based adaptation initiatives. However, institutionalization of climate change adaptation could not be initiated with such limited funding.

There are three large funding windows currently offering financial resources to advance climate change related activities. These include:

- (a) The Bangladesh Climate Change Trust Fund (BCCTF) – a fund created with budgetary allocation from Bangladesh’s revenue sources
- (b) The Bangladesh Climate Change Resilience Fund (BCCRF) – a fund created as a Multi-Donor Trust Fund (MDTF) to draw bilateral and multilateral donations from development partners. This fund is currently administered by the World Bank with a further provision for Palli Karma Sahayak Foundation (PKSF) to operate the NGO financing window of the BCCRF (the NGO-funding mechanism accounts for 10 percent of the total fund)
- (c) The Pilot Program for Climate Resilience (PPCR) funding opportunities created by the World Bank under the Climate Investment Funds (CIFs)<sup>50</sup>

### **Bangladesh Climate Change Trust Fund**

In 2009-2010, the Government of Bangladesh provided US\$100 million of budgetary resources to establish the Bangladesh Climate Change Trust Fund (BCCTF) and established a Board of Trustees to administer the fund. The Climate Change Unit at the MoEF functions as the Secretariat for the BCCTF. For three successive fiscal years starting from 2009-10, the government has committed BDT 2,100 crore (approximately US\$250

million) to the BCCTF.<sup>51</sup> About 50 percent of the allocation made in 2009-2010 was reportedly utilized by the end of 2011. Meanwhile, the GoB has developed its next investment plan (the 6th Five Year Plan for 2012-2015), which prioritizes climate change.

### **Bangladesh Climate Change Resilience Fund**

In September 2008, the government of the United Kingdom pledged £75 million (US \$117 million) as a grant to promote climate change adaptation in Bangladesh. This funding along with contributions from other donors led to the establishment of the Bangladesh Climate Change Resilience Fund (BCCRF). The GoB invited the World Bank to administer this fund for at least the initial three years. The BCCRF is designed to channel bilateral and multilateral grants to finance climate change programming. The World Bank is providing technical assistance to aspiring national (public sector) institutions to develop projects and has established a two tier institutional mechanism to administer fairly large funding amounts per project (the minimum level is US\$10M). In concurrence with the MoEF, an autonomous body Palli Karma Sahayak Foundation– which is specialized in administering micro-credit programs involving disbursement to NGOs – has been entrusted to administer small-scale funds for NGOs. To date, about US\$150 million has been provided by various donors under the BCCRF since 2008 e.g. the United Kingdom, Denmark, Sweden, the European Union (EU), and Switzerland. Donors such as the UK's Department for International Development (DFID), the EU, DANIDA (the Danish development organization), the Japan International Cooperation Agency (JICA), and the Australian Agency for International Development (AusAID) have provided funds through BCCRF. Of this, approximately US\$50 million has been allocated to two projects: 1) building multi-purpose cyclone shelters and 2) climate-resilient agriculture. A few projects are in the final stage of evaluation to secure financing through BCCRF.<sup>52</sup>

### **Pilot Program for Climate Resilience**

Under the Pilot Program for Climate Resilience (PPCR), implemented by the World Bank under the Climate Investment Funds, Bangladesh has been offered a total of US\$110 million, of which \$50 million will be provided as a loan, and the remaining amount as a grant.<sup>53</sup> A number of CSOs have been campaigning against the loan component of the PPCR as there are concerns about whether Least Developed Countries such as Bangladesh should have to pay back funds for a problem they were primarily not responsible for (climate change), and because this negates the idea that climate change funding should be in addition to traditional foreign aid funds. As of this writing, it remained uncertain whether the GoB will accept the terms of the concessionary loan from the World Bank.<sup>54</sup>

## **Role of Development Partners and International Financing Institutions**

Some early financing by the Commonwealth Centre, the Dutch Ministry for Public Works, the Asian Development Bank (ADB), and the Ford Foundation contributed significantly to developing the initial knowledge-base on specific vulnerabilities to climate change. Following these initial studies, more in-depth studies were conducted with grants from the United States Agency for International Development (USAID), the Global Environment Facility (GEF) (through the ADB), and the World Bank.<sup>55</sup> The United Nations Development Programme (UNDP) provided support to the GoB for preparing the Initial National Communication - INCom and NAPA to the UNFCCC. Both UNDP and DFID have been supporting costs for participation of Bangladeshi delegates in international negotiations. The Canadian International Development Agency (CIDA) provided finance through the Canadian Climate Change Fund to carry out a pilot project for reducing vulnerability to climate change (i.e. RVCC), which in turn provided valuable lessons for other community based adaptation work across the globe.<sup>56</sup> ADB and World Bank financing has primarily focused on providing technical assistance to adaptation work and enhancing the federal government's capacity to respond to the policy and implementation needs on climate change respectively. The ADB has initiated a technical assistance project to enhance the capacity of Ministerial Focal Points. One component of World Bank-managed PPCR is to enhance the capacity of public institutions through training on climate change. Donors and a few civil society representatives participate in the Local Consultative Group (LCG) on Climate Change and Environment, chaired by MoEF, to ensure better coordination of efforts between the government, donors, and CSOs. Two CSO representatives, the International Union for Conservation of Nature (IUCN), and PKSF, are included in this group. The group has been putting together a matrix with basic information on the programs that various donors are supporting in Bangladesh. Finally, a Saudi national (who requested to remain anonymous) has given more than US\$130 million to build a number of cyclone shelters (The Free Library, 2008), and the Islamic Development Bank (IDB) has been entrusted to administer the fund. To date, this is the largest source of funding for climate change related initiatives in the country. Out of this, about \$20 million has been earmarked to restore the lives and livelihoods of the victims of climate induced hazards in the coastal zone.<sup>57</sup>

## **Contribution of Non-State Actors to Climate Change Adaptation Initiatives**

It is often said that the collective strength of Non-Government Organizations, research institutions and think tanks that has strengthened Bangladesh's capacity to address social issues more than in other least developed countries. Apart from governmental initiatives, many non-



governmental bodies are also putting efforts to facilitate climate change adaptation endeavours. There are a range of actors addressing issues related to climate change, each making a unique contribution in their own capacity. While this is an encouraging scenario, there are issues that need to be addressed in order for these efforts to make a lasting impact. Addressing climate change requires a good conceptual understanding of four major streams of actions related to climate change: 1) mitigation and adaptation; 2) adequate knowledge and capacity; 3) effective collaboration and coordination among multiple agencies on a combination of activities; and 4) proper identification and prioritization of activities to optimize benefits and minimize adverse effects of these actions. While much more needs to be done on most of these areas, many organizations have been trying to implement programs based on their experience and what they think is appropriate. Several state and non-state actors have been implementing and scaling up climate change adaptation and mitigation projects over the past decade. This includes various government ministries and departments, at the national and local level, as well as CSOs. In addition, research and academic institutions in the country are leading the discourse on climate change adaptation through knowledge generation and action research in order to reduce vulnerability to climate change and to build resilience. Although some agencies have not yet started to implement projects on the ground, large-scale programming is expected to begin soon under BCCSAP. National and local government, Development partners and International Financial Institutions, Civil society organizations, Media and Private sector are major actors in climate change adaptation in Bangladesh.<sup>58</sup>

### **The Barriers to Climate Change Adaptation (CCA)**

A review of climate change literature reveals that limits and barriers to adaptation can be broadly categorized into three distinct, yet inter-related groupings. Ecological and physical limits comprise the natural limitations to adaptation, associated largely with the natural environment, ranging from ecosystem thresholds to geographical and geological limitations. For example, rapid sea-level and temperature rises could present critical thresholds beyond which some systems, such as mangrove and coral reef ecosystems, may not be able to adapt to changing climate conditions without radically altering their functional state and system integrity. In the context of sustainable development, a limit of notable concern for developing country policy-makers is the point at which the ecosystems upon which communities depend will no longer be able to support and sustain livelihoods.<sup>59</sup>

A second category is human and informational resource-based limits relating to knowledge, technological and economical restrictions. These include the various spatial and temporal uncertainties associated with forecast modelling, and low levels of awareness and information amongst policy-makers on the impacts of climate change, as well as a lack of financial resources and assistance to facilitate adaptation interventions.<sup>60</sup>In addition, there is a concerted need to acknowledge and address social barriers to

adaptation. These barriers comprise the psychological, behavioural and socio-institutional elements that dictate how individuals and societies react in face of climate stress and change, and are important components of adaptation that are often neglected within wider adaptation debates.

Social barriers to adaptation are concerned with the social and cultural processes that govern how people react to climate variability and change, be they in the form of prolonged drought, heavier and uncertain rainfall, or rising temperatures. The IPCC notes that, to date, 'social and cultural limits to adaptation are not well researched', acknowledging the scant attention within the climate change literature devoted to addressing social limitations thus far.<sup>61</sup> Social barriers are made up of various processes relating to cognitive and normative restrictions that prevent individuals or groups from seeking the most appropriate forms of adaptation. A key aspect relates to the organisation and structure of social institutions. Institutions in this context are taken to represent the 'rules of behaviour' that govern belief systems, norms and behaviour, and organizational structure. Social institutions are diverse in nature, and can be seen in the form of local farmer collectives, indigenous knowledge institutions, or institutions dictate, to a large extent, the appropriate adaptation actions and the behaviour of individuals when faced with the threats posed by climate variability and change. The social sciences have long been aware that an individual's action and behaviours are shaped by deeply embedded cultural and societal norms and rules.<sup>62</sup> Natural resource management literature maintains that 'barriers to community or individual action do not lie primarily in a lack of information or understanding alone, but in social, cultural, and institutional factors'.<sup>63</sup> It is, therefore, important to bear in mind that logical behaviour in reaction to climate stress and shock may not always follow the development of adaptation policy, even with adequate knowledge and awareness.

Due to the natural limitations, human and informational resource-based limits relating to knowledge, technological and economical restrictions and social barriers, various climate change adaptation projects undertaken in Bangladesh went in vain.

As we lack proper policy guidance to the stakeholders, achieving faster social and economic resilience to climate change has become so tough in Bangladesh. Also we lack overarching policy to mainstream adaptation and strengthen sector-specific policies with elements of climate change. In addition, Bangladesh is yet to effectively integrate Climate Change Adaptation issues in other sectoral policies and achieve policy coherence. Moreover, there are gaps in policy articulation in relation to gender and climate change. Unfortunately Ministry of Environment and Forest (MoEF) could not come up with stronger leadership role on climate change issues. Experts maintain that MoEF's limited budget allocation and poor human resource capacity are the key reasons behind the crisis.

Members of administration, bureaucracy, and local government institutions are not adequately equipped with technical knowledge for climate change programming. Efforts to educate future generations on climate change are not sufficient till date.

Still local organizations such as NGOs and CBOs are not supported with a nationally orchestrated capacity-building initiative yet. Local institutions, especially in critically vulnerable areas are not provided with support to enhance their analytical capacity to develop and apply their own climate change integrated development plans.

Experts believe that the institutional issues may have been suffering from ad-hoc approaches in case of adaptation initiatives. Sometimes, too much experimentation in this regard spoils the whole initiatives.

Another concern raised by many experts is that some donors have started to categorize traditional bilateral development funding as “climate finance,” though those funds were pledged and projects implemented before the Copenhagen Accord was signed. There seems to be a growing tendency among some NGOs and donors to project many development actions as adaptation – often just by changing the label of the project. NGOs do this to demonstrate that they are “experienced adaptation organizations” in anticipation of funds for future programs. For the donors, it is a desire to show a lot of their development assistance as “adaptation assistance,” enabling them to reduce the growing international pressure to allocate new and additional resources for adaptation.

There are irregularity issues in climate financing too. Although the first pledge for international climate financing came as early as September 2008, the progress in disbursing funds for programs and projects has been slow. According to many respondents, the process of deciding who should manage internationally available finance (Multi-Donor Trust Fund or the recent Bangladesh Climate Change Resilience Fund) has been slow, and has “dampened” the spirit of a number of actors within and outside the government to initiate significant processes on adaptation to climate change.

It has been alleged in media report that politically driven decision-making attached high priority to such projects, whereas the country has been asking for critical investments in a number of other priority areas.

Stakeholders indicated that women will be among the most affected by the impacts of climate change due to patriarchal norms and practices and differential gender relations that prevail in Bangladesh. It was generally agreed by experts that the voices of the vulnerable people are not adequately heard and the overall vulnerability of women and girls have not been effectively addressed in laws and policies.<sup>64</sup>

## **Ways Forward**

Implementation of the following recommendations can help to overcome the obstacles in case of climate change adaptation in Bangladesh.

### **Policy Formulation, Dissemination, and Implementation**

**i) Development of a climate change policy for Bangladesh:** While experts agree that the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) is the de facto policy document that provides strategic direction

for work on climate change-related issues, Stakeholders agreed on the need for an overarching policy on climate change.

**ii) Integration of climate change in other sectoral policies and achieve policy coherence:** Since climate change is a multi-sectoral issue, experts expressed the need for integrating climate change into other related sectoral policies and achieving overall policy coherence.

**iii) Understanding the provisions of BCCSAP to ensure effective implementation:** The article identifies a lack of information and understanding of the BCCSAP among key actors at various levels, particularly local government officials as well as local civil society organizations. In addition to the need for wider dissemination and understanding of program priorities outlined in the BCCSAP, there is a critical need for specific guidelines for designing, prioritizing, and implementing the various programs listed in BCCSAP.<sup>65</sup>

**iv) Addressing the gaps in policy articulation on gender and climate change:** The BCCSAP indicates the need to ensure gender sensitivity in all of its programs. However, it does not provide specific guidance on how to integrate gender issues throughout its various programs. Respondents also indicated that there are major gaps in sector specific policies as they relate to climate change and gender.<sup>66</sup>

**v) Formulation of ground rules for oversight of policy implementation:**

Due to the absence of coordination and oversight mechanisms for ensuring implementation of policies and plans related to climate change, implementation of these policies and plans came out as a major concern.

### **Institutional Strengthening**

**i) Building the capacity of the Ministry of Environment and Forests (MoEF) to address climate change issues at all levels:** Though stakeholders demand that they want to see a stronger leadership role from MoEF on climate change issues, they recognize the Ministry's limited budget allocation and human resource capacity. Therefore, the need for strengthening the capacity of MoEF is identified as a priority by the experts.<sup>67</sup>

**ii) Strengthening institutional mechanisms from national to local level:** Most stakeholders pointed to the gap between national and local governance processes and institutions, and indicated the need for bridging the gap between national and local governments in order to address climate change issues in a comprehensive and integrated manner.

**iii) Building government and academic capacity on climate change:** Capacity of all members of administration, bureaucracy, and local government institutions can be strengthened by engaging leading experts on climate change from the nongovernment sector.

**iv) Building the capacity of local organizations on climate change:** Local institutions, working especially in highly vulnerable areas, should be

provided support to enhance their analytical capacity to develop and apply their own climate change integrated development plans.

**v) Avoiding too much experimentation:** Institutional arrangements for managing climate change program portfolios have been ad-hoc and experimental in their approaches. Many experts expressed the need to avoid such frequent changes in the institutional set up and focus on strengthening existing systems.<sup>68</sup>

### Improved Climate Financing

**i) Follow-through on climate finance commitments:** There is a tremendous need for the country to invest in climate resilience, but the available resources to date do not match these needs. Civil society organization (CSO) experts expressed concern about the limited contributions of donors toward financing climate change adaptation programs to date, which makes the financing target of US\$10 billion by 2015, mentioned in the BCCSAP, seem ambitious.<sup>69</sup>

**ii) Providing additional financing for climate change adaptation:** Another concern raised by many stakeholders is that some donors have started to categorize traditional bilateral development funding as “climate finance” to respond to growing international pressure to allocate additional resources for climate change adaptation.<sup>70</sup>

**iii) Agreement on appropriate financing modalities:** Most stakeholders oppose to the idea of loan financing for climate change adaptation. They emphasize that loans could potentially challenge the prevailing international consensus that “adaptation financing” for Least Developed Countries (LDCs) should be provided mainly as grants, and only in addition to traditional overseas development assistance.<sup>71</sup>

**iv) Disbursement of climate funds to NGOs for project implementation:** Although the first pledge for international climate financing came as early as September 2008, the progress in disbursing funds for programs and projects has been slow. While the Bangladesh Climate Change Trust Fund (BCCTF) has not yet been able to identify appropriate NGOs to receive funds, due to allegations of corruption and nepotism, the other funding mechanism, the Bangladesh Climate Change Resilience Fund (BCCRF) has also been delayed in disbursing funds to NGOs.

**v) Proper allocation and utilization of climate funds for adaptation:** It has been observed that more funding has been allocated for climate change mitigation related projects, whereas the priority for Bangladesh is adaptation to climate change. It also remains unclear how the allocation of funds is being matched with the priorities outlined in BCCSAP.

**vi) Prioritize climate financing for selected sectors:** Climate financing in Bangladesh should predominantly be directed to a few selected thrust sectors such as water resources, infrastructure, rural development, agriculture, and disaster management.

**vii) Ensure transparency in climate financing:** According to media reports and views of many experts, the first set of projects awarded under BCCTF proved to be controversial. Subsequently, the Parliamentary Standing Committee on MoEF intervened, and the BCCTF Trustee Board decided to stop the award process.

**viii) Ensuring strong oversight of financial flows and monitoring implementation:** Oversight mechanisms engaging government officials at the national and local levels, civil society representatives in affected areas, and local and national media, should be put in place to ensure transparency and accountability.

### Coordinated Efforts to Address Climate Change

**i) Understanding the potential role of civil society organizations (CSOs):** CSOs can play an enhanced role in strengthening climate governance in Bangladesh through an increased emphasis on capacity building of state and other non-state actors; strengthening the knowledge base on climate change; demonstrating new program approaches; experience sharing and networking; monitoring and oversight of program implementation; and practicing good governance.

**ii) Encouraging Government CSO Collaboration:** Historically, MoEF has been benefited from engagement with the CSOs. However, a significant number of the CSO officials suggested that participation of CSOs in planning processes has deliberately been kept limited to a few individuals.

**iii) Engaging local civil society organizations:** Local NGOs, community based organizations, and other voluntary associations are yet to have an entry point to implementing the BCCSAP. Currently national NGOs seem to have greater opportunities to participate in policy formulation processes and influence decision making. The majority of survey respondents raised this as a concern and a potential stumbling block to wider participation of CSOs.

**iv) Building on effective development practices:** A large number of development initiatives that also address the issue of climate change adaptation, can be found in many sectors including agriculture, health, education, income generation, housing, etc. Many stakeholders observe for the need for building on relevant development interventions to help communities in adapting to climate change.

**v) Engaging the private sector:** The private sector is yet to be considered as a potential partner in collectively responding to climate change induced impacts. On the other hand, the private sector shows a lack of understanding of the potential impact of climate change and how this could affect business opportunities.

### Gender Mainstreaming and Integration

**i) Making women's vulnerability count:** Women will be among the most affected by the impact of climate change and gender issues need to be given

adequate attention in climate change policy making, project design, and in mainstreaming climate change in development.

**ii) Developing project screening tools for gender sensitivity:** Project screening tools should be developed to check gender sensitivity of any proposed (adaptation) project. Efforts should also be made to enhance the capacity of government officials and CSOs on the tools.

**iii) Engaging CSOs (Civil Society Organizations) in the oversight of gender mainstreaming:** CSOs could have a potential role in oversight of BCCSAP programs from a gender perspective. They also concurred on a lack of adequate understanding and capacity for gender mainstreaming in climate change adaptation programs in the majority of CSOs.

### Research and Knowledge Sharing

**i) Supporting climate change research:** Research-based knowledge generation and use has been significant in Bangladesh compared to other developing and least developed countries. However, research and piloting of new approaches to adaptation has had to rely mostly on intermittent donor funding and is yet to attract government funds, making piloting and scaling up of tested approaches a challenge.

**ii) Strengthening the knowledge base:** Research institutes and CSOs should collaborate to deliver high-quality, locally relevant research outputs to continue to build on the existing knowledge base for improved responses to climate change.

**iii) Enhancing mechanisms for knowledge generation and sharing:** It is critical to establish a knowledge sharing community for relevant stakeholders in Bangladesh to address information gaps, develop pilot projects, and share expertise in program design and scaling up. Considering the current demand and the capacity of MoEF, the government should collaborate with other institutions (e.g., selected NGOs/CSOs) at least in the first few years.

### Concluding Remarks

Finally, there is reason for both optimism and pessimism about climate change in the twenty-first century. The bad news begins, of course, with the brute fact of climate change and the social costs it will likely entail. Those costs already are being felt, and they will multiply during the course of this century. Meanwhile, the near-term prospect for meaningful action on climate change appears bleak. The parties to Paris Accord 2015 seem far more interested in minimizing regulatory compliance costs for regulated industries than in actually reducing carbon emissions or assisting LDCs deal with the consequences of climate change. If they do not soon begin paying more attention to the issue of adaptation, those consequences could be severe.<sup>72</sup>

The best climate change policy for the LDCs like Bangladesh is to raise their per capita income by diversifying their economies and building more adaptively efficient institutions. As we grow wealthier, our capacity to adapt to

the effects of climate change will increase. However, there is no certain formula for increasing per capita income and inculcating adaptively efficient institutions in LDCs like Bangladesh. For many, if not most, of them, the process will require substantial international assistance, which so far has not been forthcoming. To end on a more optimistic note, developed countries certainly have the capability to mitigate a significant percentage of their GHG emissions at reasonably low cost; and assist LDCs to adapt to changing environmental circumstances by funding discrete adaptation projects and broader economic development projects. Being one of the most vulnerable states to climate change adverse impacts, Bangladesh should raise their demands to the developed countries regarding climate financing so that it can efficiently implement more and more adaptation projects to combat climate change. Carefully tailored foreign aid will enable Bangladesh to improve living standards, thereby offsetting some of the costs of climate change. We may also hope for limited improvements to overall adaptive efficiency in our economy.

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# **The SEZ Policy and National Policy for Relocation and Rehabilitation 2007 (NPRR) Debate in India – Its Critique**

By

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*The paper attempts to look at the SEZ policy, 2005 and the newly formulated NPRR 2007 in the context of the development vs displacement debate. The SEZ issue has recently emerged in India as a burning, debatable issue. Every other day the print and electronic media carry articles about SEZs, agitations against the setting up of SEZs and so on.*

## **What is an SEZ?**

A Special Economic Zone (SEZ) is a region that has economic laws that are more liberal than a country's typical economic laws. The goal of an SEZ is to increase foreign investment. One of the earliest and the most famous SEZs was founded by the govt. of People's Republic of China under Den Xiaoping in the early 1980s. The most successful SEZs are located in China, in Shenzhen. Following this example SEZs have been established in several countries like India, Brazil, Philippines, Poland, Russia, Ukraine, Iran and Jordan. SEZs are specially demarcated zones where units operate under a set of rules and regulations different from those applicable to other units in the country.

SEZ Policy – As a part of its continuing commitment to liberalization, the Government of India over the last decade adopted a multi-pronged approach to promotion of foreign investment in India. The SEZ policy introduced in the Export-Import (EXIM) policy effective since 1<sup>st</sup> April 2000, is the governments most aggressive and far reaching initiative till date, aimed at attracting foreign investment in India, The policy enables the creation of SEZs in the country with a view to provide an internationally competitive and hassel free environment for exports. Several incentives have

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been provided under the policy of industrial units that are likely to be set up in the SEZs as well as the developers of such SEZs.

### **SEZ Policy: Towards Hassle Free Business Opportunities in India**

SEZ are defined as delineated duty-free enclaves and are deemed foreign territories for the purpose of trade operations, duties and tariffs. An SEZ may be set up in the public, private or joint sector and/or by a state government, subject to the compliance with the policy guidelines issued by the ministry of commerce. The Policy requires the minimum size of an SEZ to be 1000 hectares. Within these zones, units may be set up for the manufacture of goods, provisioning of services and other activities including processing, assembling, trading, repairing, reconditioning, making of gold, silver, platinum jewellery etc. The policy allows 100 percent direct foreign investment (FDI) in most manufacturing activities. The government is also looking at removing sectoral FDI caps in all units located in SEZs. In order to ensure that the SEZs lead to an improvement in India's competitiveness and export potential the government has laid down certain nominal qualifying conditions for units within an SEZ. Every unit in an SEZ is required to make a minimum investment of Rs. 5 million (around US Dollars 100,000) towards plant and machinery. Units within SEZs are required to be net foreign exchange earners, cumulatively in the first 5 years of operation. However no minimum net foreign exchange earning or export performance requirement has been laid down. Trading units within SEZs required ensuring a turnover of at least USD \$ 1 million within 5 years from commencement of operation. The SEZ policy allows unlimited access to the Domestic Tariff Area (DTA). In addition to unlimited access the policy allows units within SEZs to undertake job work for DTA, without payment of any duty, as well as for temporary removal of goods into DTA or to other SEZs/STPs/EOU Zones. However access to DTA is subject to the following 1) Access to DTA would be subject to the achievement of positive foreign exchange earning and on full payment of customs duty. 2) Trading units within the SEZs are not permitted to sell goods in the DTA 3) SEZ units will need to maintain year wise accounts of all sales in the DTA.

Units that are set up within these zones are entitled to import all types of goods that are required for operation including capital goods, whether new or second hand (except those prohibited against the policy) without payment of import duty. In addition the policy allows inter unit transfer of goods between SEZs without any customs scrutiny. Further duty remission will be available on destruction of goods within the SEZs. Units have also been permitted to dispose obsolete goods on payment of applicable customs duty. In order to encourage development and supply of specialized services and components, the policy allows manufacturers and services providers who contribute to exports indirectly, through supply to export based units to locate their units within the SEZ area. Further individual non-exporters can also enjoy SEZ benefits provided their entire production is channelised towards

the manufacture of items that will be exported. However their entire production needs to be consumed within the SEZ area Zones. Further, units within the SEZs have been asked to pay for all transactions, including payments for the inter unit transaction and suppliers in dollars, except for domestic expenses like salaries. The GOI in its EXIM Policy 2002-07 has permitted setting up of Overseas Banking Units (OBU) in the SEZ. OBU are exempted from CRR and SLR norms laid down by RBI. This would allow units and developers to raise cheaper capital from the international market. In addition units in the SEZs are permitted to undertake commodity price risks. Units are exempted from External Commercial borrowing (ECB) restrictions as laid down by RBI. SEZ policy is GOIs most significant thrust towards achieving export competitiveness and attracting significant FDI investments and provides several additional incentives such as:

### **Benefits to Units and Tenants within SEZs**

To procure goods required for setting up of units, from domestic to foreign markets, without payment of any custom/import duties. No requirements of minimum net foreign exchange earnings as percentage of exports. SEZ units can have unrestricted access to domestic markets, on payment of applicable duties/ taxes. Duty-free material is permitted to be utilized over a period of 5 years unlike EOU/EPZ schemes where the period is limited to 1 year. Reservation policies for Small Scale industries (SSIS) would not be applicable within the SEZ Zones, enabling units within the SEZs to engage in industries that have been traditionally reserved for SSIS. Profits from operations within SEZ Zones can be repatriated freely, without any dividend balancing requirements. The SEZs would have a simplified monitoring and administrative setup. All activities of SEZ units shall be through self-certification procedures. Central authority for approvals/performances of units within the SEZs will invest with the Development Commissioner (DC) of the SEZ. All imports to be allowed on the basis of self-certification. No routine examination of export and import cargo by the customs dept. Subcontracting of parts of production abroad permitted, subject to certain conditions and restrictions. 100% of export earnings can be retained in the exchange earners Foreign Currency (EEFC) account. Such export proceeds can be brought back to India within a period of 1 year. 100% of foreign exchange receipts from customers can be retained in the form of credit. However, units will need to maintain year wise accounts on forex, inflow by way of exports and other receipts and all forex outflows on account of payment of dividend, royalty fees etc.

### **Benefits to Developers**

SEZ Developers will be granted all autonomy to develop townships within SEZs. Allocations and pricing of land facilities and services in SEZs are not governed by existing regulations. Goods or Services required by developers for the development of the zone can be procured from DTA without

payment of any duty. Specific goods could also be imported at concessional rates of duty. SEZ developers would be accorded infrastructure status, and thereby entitled to claim all concessions and incentives available to infrastructure under the Income Tax Act.

The SEZ were started to provide the “engine of growth” to propel the manufacturing sector and thereby the economy. Hence in a major initiative to boost export led growth and motivated by the success of Chinese SEZs the government replaced the EPZ (Export Processing Zone). EPZ was just an industrial enclave whereas an SEZ is an integrated township with fully developed infrastructure. Hence the government of India enacted the SEZ Act in 2005, as the earlier, April 2000 Policy – SEZ scheme under which all existing EPZs were converted into SEZs, did not have a significant impact. Therefore in order to provide a major thrust to the policy, the GOI enacted the SEZ Act of 2005, which became operative in Feb 2006. Similarly the state governments too enacted their own SEZ laws.

### **2005 SEZ Act: Salient Features**

**Governance** - An important feature of the Act is that it provides a comprehensive SEZ policy framework to satisfy the requirements of all principal stakeholders in an SEZ – the developer and operator, occupant enterprise, out-zone supplier and residents. A crucial feature of this act is that it claims to provide a single window clearance. The responsibility for promoting and ensuring orderly development of SEZs is assigned to the board of approval, which is to be constituted by the central government. The Development Commissioner’s (DC) office is responsible for exercising administrative control over SEZs, the labour commissioner’s powers are also delegated to the DC.

Clause 23 of the Act required that the designated courts will be set up by State Governments to try legal suits of a civil nature and notified offence committed in the SEZs. Affected parties may appeal to high courts against the order of the designated courts.

**Incentives:** The Act offers a highly attractive fiscal incentive package which ensures (1) exemption from custom duties, central excise duties, service tax, central sales tax and securities transaction tax to both the developers and units (2) tax holiday for 15 years i.e. 100% tax exemption for 5 years, 50% for next five years and 50% of the ploughed back export profits for the next 5 years (3) 100 per cent income tax exemption for 10 years in the block period of 15 years for SEZ developers.

**Infrastructure:** Provisions have been made for (1) the establishment of free trade and warehousing zones to create world class trade related infrastructure to facilitate import and export of goods aimed at making India a global trading hub (2) the setting up of offshore banking units and units in an international financial service centre in SEZs and (3) the public private participation in infrastructure development and (4) the setting up of an ‘SEZ authority’ in



each central government SEZ for developing new infrastructure and strengthening the existing one. A crucial aspect of SEZ is that all imports from domestic sources are duty free without any license, duty free for 5 years and are also exempt from SAD (Sales Added Tax). SEZs are meant to enhance foreign investment and promote exports from India and realizing the need for a platform to be made available to domestic enterprises and manufacturers to be globally competitive, the government of India in April 2000, announced the introduction of SEZs as deemed foreign territories for the purpose of trade operations, duties and tariffs. SEZs are expected to offer high quality infrastructural facilities and support services, allowing duty free import of capital goods and raw material, attractive fiscal incentives and simpler customs duties, banking and other procedures. Setting up of SEZ is also treated as an infrastructure development activity.

**Salient features of SEZs:** 1) SEZ India Policy provides for development of these zones in the government, private or joint sector offering equal opportunity for both Indian as well as international private developers. 2) For green field SEZs government has specified a minimum preferable area of 1,000 hectares. However for a sector specific SEZ there is no restriction on the minimum area 3) 100% FDI is permitted for all investments in SEZs except for activities under negative list 4) SEZ units are required to be positive net foreign exchange earners and are not subject to any minimum value addition norms or export obligations 5) Goods flow into SEZ from Domestic Tariff area will be treated as exports and goods coming from SEZ area into DTA as imports.

**Incentives and Benefits to SEZs:** Besides providing state of the art infrastructure and access to a large well-trained and skilled work force, SEZ policy also provides enterprises and developers with a favourable and attractive frame work of incentives such as 100% income tax exemption for a block of 5 years and an additional 50% tax exemption for 2 years thereafter and 100% FDI in manufacturing sector permitted through automatic route, barring a few sectors. In addition, external commercial borrowing by SEZ units of up to US \$ 500 million in a year is allowed without any maturity restrictions through recognized banking channels. They also have the ability to retain 100% Foreign exchange receipt in Exchange Earners Foreign Currency Account and 100% of FDI is permitted to SEZ franchises in providing basic telephone facilities in SEZs. There is no cap on foreign investment for items reserved for small-scale sector. They have an exemption for industrial licensing requirements for items reserved for SSI Sector and have no import license requirement. They also have exemption from customs duties on import of capital goods, raw materials consumable spares from domestic markets and no routine examinations by customs for Export and Import cargo. They have the facility to realize and repatriate export proceeds within 12 months. Profits are allowed to be repatriated without any dividend balancing requirement. Job work on behalf of domestic exporters for direct export is allowed. Sub-contracting both domestic and international is

permitted. This facility is available to jewellery units as well. Exemption is granted from Central Sales and Service Tax. Facilities are available to set up offshore banking units in SEZs.

**Incentives to Developers:** Exemption from duties on import/procurement of goods for the development operation and maintenance of SEZ are given. Income tax exemption of a block of 10 years within 15 years as well as exemption from Service Tax is given. FDI to develop township within SEZs with residential, educational health care and recreational facilities is permitted on a case by case basis.

After the SEZ policy of 2005 was enacted on 10<sup>th</sup> Feb 2006, in early March 2007 the Nandigram, Singur (WB) episode occurred. Violent agitations, killings and rallies against SEZs rocked all over our country as a result of which the Government of India i.e. the UPA alliance decided to do some serious homework and keeping the save-face mechanism for mid-term poll electors in mind, dished out a new policy under the new banner 'R & R' policy on 11<sup>th</sup> Oct. 2007. R&R stands for National policy on Rehabilitation and Resettlement. It has been named as the National Policy on Rehabilitation and Resettlement – 11<sup>th</sup> October 2007. 1) It gives landholders the option of taking 20% of the rehabilitation grant as shares in the projects that displaced them 2) It also eases the rules for buying land by corporate India by amending the Land Acquisition Act of 1894. This new policy therefore replaces the earlier policy of Rehabilitation 2003 – i.e. The earlier policy was – 1) Extend Rehabilitation to all cases of displacement, within a specific time frame 2) Provide compensation and resettlement before displacement 3) Institute mandatory social impact assessment for all projects that displaces over 400 families 4) Provide at least one job for every displaced family and give them preference while hiring labour and contractors with a special focus on SC/ST (To prevent social exclusion thereby marginality) 5) No transfer of land acquired for public purpose without the consent of those displaced 6) Reserve 10% equity for affected families of land is acquired for commercial use 7) Offer land for land compensation, subject to availability 8) Provides Statutory backing to make rehabilitation policy legally binding.

### **National Policy for Relocation and Rehabilitation: Salient Features of the NPRR Policy (2007)**

- 1) At least one person from each affected family would get preference for jobs in new projects, subject to vacancies and suitability of the candidate.
- 2) All dislocated families including landless ones, will get a house on compensation.
- 3) The compensation package specific that subsequent resale of land must plough back 80% of the net unearned income to the original sellers, the government can also give prior approval for hiking the proportion given as shares to 50% of the grant. To ensure that inflation does not erode the benefits, all monetary compensation has been linked to the Consumer Price Index

4) A strong grievance redress mechanism has also been prescribed. There will soon be a National Rehabilitation Commission setup, at national and local levels. At the district/ project level there is a standing R&R committee along with members from the affected families, voluntary organizations, panchayats, gramsabhas as well as elected representative.

5) Rules for developers buying the land by amending 1894 act.

Rules regarding NPRR policy provides for allotment of land for land besides giving preferences to the affected families jobs in the projects coming on their plots. Land will have to be primarily acquired by the developers at market rates, states can acquire up to 30% to give contiguity to developers. Compensation for land acquired by government will be fixed at 50% of the highest land sale deed in the last 3 years or the market rate decided by the state government, whichever is higher. A land Acquisition Compensation Settlement Authority will adjudicate quick settlement of disputes, though appeals can only be made to high courts and above.

A National Rehabilitation Commission will be set up that will independently oversee the R&R process. Other Highlights of the policy are: 1) It covers all cases of involuntary displacement 2) A Social Impact Assessment (SIA) will be carried out where 200 or more families are displaced in tribal, hilly or scheduled areas or 400 in plain areas. 3) There will be a Tribal Development Plan if more than 200 ST families are displaced 4) Gram Sabha consultations and public hearings are compulsory 5) The principle of rehabilitation before displacement will be adhered to 6) If possible land will be given for land taken 7) One person per family will be given a job or trained in a skill in the new project 8) Entitled person can take up to 20% of the rehabilitation grant and compensation amount in the form of shares in the acquiring organization 9) The affected person can take a rehabilitation grant in lieu of land or a job 10) Housing facilities to be provided to all affected families, including the landless 11) Monthly pension to the disabled, destitute, orphans, widows etc 12) Resettlement site to have infrastructures and amenities 13) A R&R committee at the district level and an ombudsman at the state level will monitor R & R in all projects 14) If no agriculture land or job is available then displacee gets 750 days of agricultural minimum wages as a rehabilitation grant. In this paper I would like to attempt a critique of the development/SEZ policy 2005-06 as well as the recently announced NPRR 11<sup>th</sup> Oct. 2007. As a critique of the development debate surrounding the SEZs. The govt. (UPA) one has been of late doing a lot of bragging about the SEZ and the much hyped 10% GDP Growth rate target which can be achieved and that SEZ is indeed the growth-engine for the economy to boom (a growth booster). The very notion is to make India emerge as a major industrial and manufacturing hub. The rationale behind the SEZ is to develop self-sustaining industrial townships to increase economic activities. SEZs will therefore not only attract investments but will boost exports – such was the opinion of the Commerce Minister (Central Government). Creation of job opportunities is implicit in SEZs as the main objectives of the SEZs are generation of additional economic activity, promotion of exports of goods and services, promotion of investment from domestic and foreign sources.

Creation of employment opportunities is implicit in SEZs as the main objectives of the SEZs are generation of additional economic activity, promotion of exports of goods and services, promotion of investment from domestic and foreign sources, creation of employment opportunities and development of infrastructure facilities. It has been projected that if all the proposed 341 SEZs were to go ahead, there would be a Rs. 3, 00, 000 crore of investment and 4 million additional jobs in the next 3 years.

The critique of both the policies is centered around the debate that the SEZs would liberate the Indian economy from its abject dependence on agriculture and throw open new vistas/avenues for sources of employment revenue, thereby contributing to the GDP – 10% the much eagerly awaited ‘Great Transformation’<sup>1</sup> (Polyani 1944) of our Economy TINA. There is no alternative to development while on the other hand the counter agreement is perused on the argument “SEZ would lead to Development but at the cost of displacement”. The development paradigm is premised on an explicit desire to transform societies deemed as ‘poor’ and therefore as somehow dysfunctional; a moral judgement implying social failure is never far away. Thus an artificially simulated/created paradigmatic shift, a Thomas Kuhn<sup>2</sup> (1962) anomaly too is created and the shift from agriculture to industrial/super industrial economy. The SEZ policy has become one of the most hotly debated issues in recent years. Huge protests/rallies are being organized by those who stand to lose their land i.e. they would be displaced. Today unfortunately the ‘SEZ’ issue has been used, ‘abused’, misused to gain political mileage at the forthcoming elections for eg. For the ruling government and by putting on an act/mask of caring for the poor, to be displaced people – ‘human rights activist – messiah/angels of the poor marginalized, vulnerable sections of the society and so on. There is a famous saying in Marathi ‘From a far off distance the mountains appear to be very beautiful’. ‘In this case the mountains symbolize SEZs. Another crucial angle is that it is mainly the ministry of commerce which is a strong advocate and defender of the SEZ policy whereas the Finance Ministry, RBI and the Agriculture Ministry are quite critical of the policy. In fact our own (Oct. 13, 2007), Finance Minister P. Chidambaram had ‘Stated that fewer SEZs’ are better but cautioned that the mushrooming of SEZs in the country could lead to significant revenue leakage. In short he is opposed to the proliferation of the SEZs and favours 5-6 large SEZs like China. The Ministry for Rural Development too has voiced its opinion especially as it is gravely concerned, about the displacement of the farmers, landless labourers, share croppers and hence has strongly advocated an amendment to the Land Acquisition Act 1894 (where only compensation was offered to farmers). Hence proper rehabilitation of the displaced is the need of the hour. Hence in a geometric mathematical sense it is a typical case of an isosceles triangle i.e. this case. Finance Ministry and Ministry of Rural Development are deeply concerned about the future of SEZs displacees etc. Whereas Commerce Ministry treats SEZs as service engines for India’s Great Transformation<sup>3</sup> (Karl Polyani 1944) or the ‘Great Giant Leap of India’s Economy’.

The debate regarding SEZ tries to look at the pros and cons in the context of the development discourse. In this paper I intend to highlight the main arguments pro as well as anti SEZs in the light of its social economic and political implications, thereby a critique of the two policies itself i.e. SEZ Act 2005, Feb. 2006 and the very recently announced R&R policy of 11<sup>th</sup> Oct. 2007.

**The SEZ-Debate: PRO SEZ DEVELOPMENT ANTI-SEZ – DISPLACEMENT**

<p><b>1) Regional Development</b> SEZs will contribute to regional development by creating local industrial and social infrastructure. Almost every state will have SEZs under the policy. This will promote infrastructure and development and industrialization in states such as Bihar, UP, Orissa, West Bengal, J&amp;K.</p> <p><b>2) Revenue – Revenue loss is national, as without the SEZ Act there would not be much investment in the zones. SEZs would bring in net revenue gain of Rs.4, 40, 000 million on account of additional investment activities. Revenue created by 237 zones</b></p>	<p><b>1) Uneven growth</b> There is a strong possibility that SEZs will be set up in states where there is already a strong tradition of manufacturing and exports such as Maharashtra and Gujarat. This will further aggravate regional disparities. The share of the four most industrialized states (Tamil Nadu, Karnataka, Gujarat and Maharashtra) in total approval is 49.5%. Andhra Pradesh, Kerala, Haryana account for another 31.1% total approvals. Thus seven states alone amount for 80.6 % of approvals. Their share in principle approvals is 63.8%. On the other hand, industrially backward states of Bihar, North East India and J&amp;K do not have a single approval. Thus SEZs would further accentuate socio-economic discontent and inequalities among regions and people thereby contributing to further marginalization (social exclusion), erosion of social justice and leading to more poverty.</p> <p><b>2) Revenue Loss – SEZs will drain revenues. The government has already had to forgo Rs.90, 000 crores in taxes, Rs. 175,000 crore will be the estimated revenue loss by year 2011 (Finance Ministry). Finance minister has strongly advocated only fewer i.e. 5-6 large</b></p>
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alone would be more than Rs. 15 lakh crore, 2% of GDP in the next 3 years. SEZ would bring net revenue gain of Rs. 4, 40,000 million on account of additional investment activities.

**3) FDI-** In the first year alone \$ 35 billion has been committed: 60-70 % of Total FDI coming to India. Expected investment is of Rs. 100,000 crore including FDI of US \$ 5-6 billion by the end of December 2007. If all 341 SEZs that are granted approval become operational then investment to the tune of Rs.3, 00,000 crores is expected to take place in India.

**4) Inequities-** EOUs have the freedom of setting up their businesses anywhere in the country and are enjoying the benefit of DTA sales which is not available to zone units. SEZs are set up in a state with strong tradition of exports than union growth.

**5) Relocation-** Special provisions have been made in the act under which tax exemptions are applicable only if the unit is not formed by splitting up or the reconstruction of a business already in existence and is not formed by the transfer to a new business of machinery or plant previously used for any purpose. Relocation of unit of SEZ would involve cost and loss of efficiency. There is little incentive to relocate due to the continuation of various export promotion schemes such as the duty drawback scheme for outside units and other business

SEZs like China to be set up to curb revenue leakage. Income tax exemption on export income, for 10 years as well as exemption from customs duty, sales, service tax will further aggravate the loss. The Finance Ministry, RBI are gravely concerned about revenue loss. Thus SEZs would be like trying to maintain a 'white elephant'

**3) FDI (SEZ)** threaten the national sovereignty by giving foreign investors too many concessions. Many leading economists like Prof. Arunkumar (JNU New Delhi) have equated SEZ to be 'Anti-Bharat' or as Amit Bhaduri has termed SEZ as Developmental Terrorism.

**4) The incentives** listed out to the SEZs will create a titled playing field between SEZ and non SEZ investors.

**5) Companies** will simply relocate to SEZ to take the advantage of tax concessions being offered and little net activity will be generated.

<p>practices prevalent outside the zones.</p> <p><b>6)</b> Employment Generation Due to SEZ 89,000 jobs will be created in the next three years according to Ministry of Commerce when 1-130 SEZs notified so far (30-7-07 INDIA TODAY) a direct employment to 35,053 people with an investment of Rs. 43,123 crores. However even before the SEZ 2005 act was made. SEZ employment itself was 1.85 lakh people out of which 40% are women. When all 130 SEZs become fully operational it would provide 17.45 lakh or 1.7 million jobs and if all 341 SEZs become operational Rs. 3, 00,000 crore is expected to be invested and 4 million additional jobs may get created in the next 3 years. Creation of job opportunities is the main objective of SEZs. Due to job creation the people who get the jobs, become consumers thereby pay taxes, thus revenue loss would be overcome. Apart from world class infrastructure SEZs are predicted to create 5 lakh jobs by 2007.</p>	<p><b>6)</b> Due to SEZs more than 10 lakh people dependent on agriculture will be displaced. 1.14 lakh farming households and 82,000 farm workers will be displaced according to the NGO Counter Currents org. Thus leading to land alienation, displacement, unemployment, poverty as well as erosion of social justice. Due to deprivation of the land the farmers/share/landless agri labourers they have experienced alienation from their land as well as become alienated labour the land crop is lost, also alienated labour power as the ability to cultivate sow seeds would also be lost (Karl Marx's concept of alienation) A sense of powerless dejected helplessness will prevail. Emile Durkheim<sup>4</sup> (1893, 1964). 'Division of labour' had stated that 'very often a task is entrusted upon a person who may not be having the capacity to do the work 'occupational misfit'. Due to SEZs it would not only result in alienation but also 'anomie'. Anomie "a sudden change in the socio-economic condition leading to chaos, powerlessness, helplessness, frustration, economic depression". Closely associated with the concept of occupational misfit is Amartya Sen's<sup>5</sup> (1983) concept of 'persons' capabilities and wellbeing. But along with capacity it is also the freedom that the person gets to do what he wants to do. However if requisite skills/capabilities are lacking then as John Rawls<sup>6</sup> (1971) 'Theory of Social Justice' has stated would fetch less wages. The agricultural labourer/farmers will be less</p>
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<p><b>7) LAND ACQUISITION/ GRAB</b></p> <p>An amendment to the 1894 act along with R &amp; R Policy 2007. The land requirement of all SEZs (including those under consideration) is 1,000 which is less than 0.1 percent of total cultivable land in India. The total land area in SEZ which is cultivable is only 0.000012%, even barren land is fetching Rs. 20,000/acres and that only single or barren land. Crop cultivable land should not be used for SEZ and that if a double crop land is needed then it should not exceed 10% of the total land needed for SEZs.</p> <p>To regulate usage of SEZ area by developers, Board of Approvals will assess the size needed for infrastructural facilities like housing, commercial space, recreation SEZ in the first phase can get only 25% approved for housing.</p> <p>The land requirement for all SEZs including those under consideration is 1, 00,000 hectare, which is less than 0.1% of total cultivable land in India.</p> <p>SEZ Developers are required to provide for an adequate relief and</p>	<p>talented as compared to their skilled work force counterparts. Rawls had stated that either a person has the capital to invest or the skill talent/labour, but alas in the case of displaced farmers they would be lacking in both. However in the recently announced R&amp;R Policy of 2007, the government has stated that requisite training would be given to the labourers and one person per family (displaced) would be given a job in the SEZ.</p> <p><b>7) The act will lead to a large scale land acquisition by developers, displacement of farmers, meager compensation and no alternative livelihood for them.</b></p> <p>Promoters will get land cheaper and will make their fortune out of real estate development and speculation indiscriminately. The minimum required processing area for SEZ is 35%. The rest will be reserved for residential recreational facilities.</p> <p>In most cases farmers are being cheated and forced out of their lands for big real estate deals and if SEZ are built on prime agricultural land it would have serious implications for food security, deprivation of source of livelihood etc.</p> <p>Misuse of land, land grabbing by Promoters, Builders, Developers, Real Estate sharks who will buy land cheaply and make their fortune out of real estate development and speculation in discredibly. The minimum required processing area is 35% the rest will be for residential and recreational facilities. The Weberian type of action goal oriented buying shares of a company when at the lowest rates and selling them at the highest rates.</p>
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<p>rehabilitation package for the affected. Due to the new R&amp;R policy 2007 and also a 20% share in the projects where the displacees have the option of either Rehabilitation grant 20% of it or as shares in the project.</p> <p>8) Exports from existing SEZs setup prior to 10<sup>th</sup> Feb, 2006 increased from Rs. 13,854 crores in 2003-04 to Rs. 34,789 crores in 2006-07 an increase of about 15.1% in the last 3 years.</p> <p>9) Industrialization of Agriculture can no longer absorb the youth entering the workforce e.g. 4-4-07. Indian Express statement given by Chief Minister of Maharashtra, Vilasrao Deshmukh. TINA. There is no alternative to SEZs</p>	<p>Another theory closely associated with it is the CW Mills<sup>7</sup> Theory of the Power (1959) elites – The businessman – politician – builders’ nexus. The corruption connivance and collision of interests.</p> <p>8) The green value forms less than 5% of total value of India’s exports.</p> <p>9) Anti SEZ displacement. Distortion of the industry’s competitive structure by forcing relocation costing \$38 billion.</p>
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### A Critique of the SEZ R&R Policy

Although the amendment of Land Acquisition Act 1894 was amended several times: 1962, 1967 and 1984. The recent amendment states that ‘it is proposed that land acquisition should be done for public purposes and cannot be transferred for any other purpose (especially private one) except for the public purpose after approval of appropriate govt. authority. The land remaining unutilized for 5 years is to revert to appropriate govt. authority with 80% of difference in money received over the acquisition cost to be shared among landowners in proportion to value of land acquired in case of transfer. Amendment to update land records and standardization of land values full payment of compensation before taking possession (time bound).

### Flaws and Shortcomings of the SEZ Policy: A Critique

A lot of criticisms have been made regarding the SEZ policy. Many top economists such as Prof. Jagadish Bhagwati, who is an ardent supporter of globalization feels that “India does not need SEZ, “We do not need to learn lessons from china anymore, because the main lesson was outward orientation. We should concentrate on making the additional reforms for reducing trade barriers”.<sup>8</sup> Another major criticism has come from Mr. Raghuram Rajan former IMF director in September 2006. “India’s SEZ policy is a tax give away that was likely to shift Indian production to SEZ rather than create a new economy.”<sup>9</sup> He was deeply concerned about misdirected subsidies guarantees, tax sops that India’s fiscal budget could ill afford. In fact Mr. Narayan Murthy of Infosys has warned against roping real-

estate agents into SEZ. The SEZ policy was announced by the govt. in haste, the 15 year tax holiday itself has become an object of sharp criticism by the finance ministry. In fact Mr. P. Chidambaram had stated categorically "Only 4-6 large SEZs like China would be useful, otherwise it would lead to a leakage in the revenue." He was extremely skeptical about the tax holiday and was gravely concerned about it. India's budget, which is already like a stretched rubber band that would not be able to sustain SEZs (white elephant) burden, it would snap like a rubber band, i.e. if it is stretched beyond limits. Another crucial aspect is that there has been a huge marathon for getting SEZ approvals and the speed at which the commerce ministry, BOA Board of Approval is processing them is amazing. Hence politically it appears to be connivance, corruption the nexus between real estate builders, politicians, bureaucrats and industrialists. The grand idea behind setting up of SEZs was to minimize regional disparities. The very idea of setting up an SEZ on barren land in so called 'backward regions of the country is to, reduce the rural urban divide/gap. But the SEZs functioning in India are all set in major cities. E.g. Chennai, Mahindra City. A crucial variable involved is 1) Legality of the govt at acquiring private land and that to hand over to a third party i.e. the developer (real estate shark) although the government has the right to take over private land for public purposes. But the million dollar question is as to what is really defined as public purpose for e.g. for road, public sector, power plant. But in this case the govt will act as a mediator for the developer of SEZ/industrial if private players are involved, then it would mount to nothing but, forcefully evicting landed people from their lands.

Compensation is another crucial aspect i.e. The British period act Land Acquisition Act of 1894, used to give some cheap compensation for the land acquired. The acquisition of land should be voluntary and not forced eviction. If land records are to be checked it has to be done for a period of 35 years, however the problem arises that the land cropping pattern may have been a single crop or land may have been categorized as barren earlier but due to irrigation facilities it may have improved i.e. quality/fertility of soil/land. Then the issue raised is as to whether old compensation has to be paid or the new one. Another problem is that if the price of the land before setting up of an industrial project was very low but its price has shot up after project was started, then what would be the fair price. Hence the need of the hour is to evolve a National Uniform, policy for compensation/white paper. Lastly it is not merely the landowner farmer who owns the land but also the sharecropper, tenant, landless labourer who will also stand to lose their only source of livelihood, thereby employment sustainability. Another crucial variable is how many of these can be absorbed in the new SEZs. Do they have the requisite skills? Can they be trained? Best suited would be to act as construction workers, but once SEZs are built what next? It would be temporary employment, at least in the case of agri sector it is seasonal employment, but here their future appears to be even bleaker. John Rawls (1971) in his theory of social justice had stated that one must either have the capital to invest or at least the labour. But in this case it's none hence a total violation, an erosion of social justice to simply put it in the words of Amartya

Sen<sup>10</sup> (1995), of capability skills/talents (In this case work on the land) and then it can lead to deprivation of income (source of livelihood poverty, unemployment etc), lack of skilled opportunities lead to less or no wages. Rawlsian theory of social justice rests upon the principles of welfare, but in this case will the govt make the requisite social arrangements for these displaced people by forgoing their vested interests – politicians – industrialists – builders (developers) nexus? Another aspect is that of rehabilitation/resettlement of the displaced? In the new R&R policy tall claims for Land for Land has been installed but then as to what type of land would be given, size and where? And as to whether the land would be cultivable in the sense would be a fertile one or a barren one. A classic case of what had happened during Gramdan/Bhoodan Movements initiated by Late Shri Vinoba Bhave all over India where thousands of acres of barren land was donated by rich farmers.

In spite of all the criticisms leveled against the SEZ policy 2005 and R&R policy 2007; the very idea of amending Land Acquisition Act of 1894, it aims to give a fair deal to the landowners if their property is acquired for industrial development. Also if the state wants to acquire any land for public use, the new R&R policy tries to reconcile divergent interests i.e. that of the industry and that of the landholders. Promoters of SEZ want to in reality give a real rehabilitation package/policy. However, the ground realities surrounding SEZs have to be understood.

Lastly the crucial aspect is of giving the land voluntarily which is where the real catch lies. For a person (farmer who has for generations together owned the land) will the lure of money motivate him to see his precious land, being sold, we find that the younger generation is more easily lured by it, whereas the older one still wants to cling to their land generation gap mechanism in terms of short term vs long term interest in terms of the money being offered. It is been studied and thereby established that the compensation provided was used up to pay the old debts, marry off daughters etc. Durkheimian<sup>11</sup> (1893) concept of 'anomie' sets in whereby sudden change in the socio-economic condition can lead of chaos, powerlessness sense of isolation of life and work. Very often due to sudden economic gains various vices such as gambling, alcoholism, prostitution etc may set in thereby leading to individual family and finally social disorganization.

Another crucial aspect is the concept of Karl Marxian 'alienation' a sense of dejection, helplessness powerlessness when a person is deprived of his only source of livelihood. In the case of the sharecroppers and landless labourers it will be a loss of employment, thereby income. To quote Micheal Cernea<sup>12</sup> (1999) "Landlessness is one of the major and most vital components of displacement. Expropriation of land removes the main foundation upon which people's productive systems, commercial activities and livelihoods are constructed. This is the principal form of 'de-capitalisation' and pauperisation. For most of the urban and rural displaced, who loose both their natural and manmade capital".

Thus land acquisition by the government or the developers in the case of SEZs will not only lead to economic dispossession of their lands but

also lead to ‘disempowerment of the farmers. Thus if one were to try to understand the plight and miseries of these people (displacees) in the context of John Rawls’ Theory of Social Justice<sup>13</sup> (1971, 1999, 2001) Rawls in his concept of Justice had stated that social cooperation is very essential i.e. productive labour or work for those who do not have the ‘capital to invest, as well as investment by those who have the capital to produce goods and services is indeed a critical component of social functioning – the very foundation of distributive social justice. Thus according to Rawls those who do not have the capital must get absorbed in the new economy and get adequate ways, but the crux of the problem lies in the requisite skills (talent, training) which would fetch better wages. But in the case of SEZ displacees who are mostly farmers, share croppers, landless labourers and who do not possess the skills. It would be a classic case of forced division of labour Durkheim<sup>14</sup> (1893, 1964) ‘very often a task is entrusted upon a person who may not be having the skill or capacity to do the work. Although Amartya Sen<sup>15</sup> (1995, *Capability and Well Being*) spoke about opportunities, social arrangements, can these displacees really do it? The much hyped, glorified R&R policy speaks about offering. Training thereby job/employment to one person per family – what type of jobs would be offered to them and the subsequent wages? Both Sen and Rawls have stated that deprivation of a person’s capability leads to diminishing returns (income/wages), to quote Michael Cernea,<sup>16</sup> (1999) “Dispossession from one’s own means of production is one kind of a displacement in which the dispossessed family not only loses its economic security but also social status”.

Thus even though the new R&R policy promises 750 days of minimum agricultural wages where a job or land is not available and a monthly pension for destitute widows, orphans, handicapped unmarried girls. Under which category would these displacees, so called ‘occupational misfits’ fit into? Thus, adding to their woes, thereby social exclusion marginality, poverty and ‘stigmatization. Thereby a complete erosion of social justice and violation of what Amartya Sen discussed as well being and freedom to choose life or desire to do what he/she wants to do, as well as the capability to do so. Thus if SEZs are built as promised then the TINA syndrome would set in ‘There is no alternative to SEZ/Development thus adding to Marxian law of ‘Increasing misery and pauperization of the people dependent on ‘Land’. Thus an artificially induced anomaly a paradigmatic shift from agricultural dependent economy to the much hyped up SEZ industrial/post-industrial service economy and thereby the 10% GDP but at what cost? Sustainability is another crucial aspect. The very crux of sustainability according to the Brundtland World Commission on Environment and Development (1987) a) To keep the community active at all stages with an eye on sufficient food through increased means of production and efficiency to meet the ever growing demands of all sectors b) ecological-acceptance production wherein each and everything used and removed is then replaced so that the entire ecosystem web is not imbalanced and harmed.

In short ‘Sustainable Development is the development that meets the needs without compromising the ability of future generations to meet their

own needs. But alas! The very concept of SEZs, acquisition of land thereby posing a severe threat to food security class of land holders, landless agricultural labourers, share croppers, Land a source of livelihood to many and also endangering the already fragile ecosystem. The Brundtland summit focused on two major issues the two major themes in the concept of sustainability the duty responsibility of current as well as the future generation to guard natural capital and other forms of social capital physical investment and investment in knowledge and institutions as embodied in human. But in the case of SEZ itself the natural capital (land) would be exploited /used in order to set up social capital-physical investment in knowledge and institutions.

Thus in basic economics, we study Land, Labour, Capital and Entrepreneur and its relationship with each other. Land belonging to farmers. 1) Land is needed 2) Labour – skilled one 3) Capital – Money Investment 4) Entrepreneur to manage all the 3. However in the case of SEZs, Land would be that acquired from the farmers. 2) Capital i.e. that of industrialists businessman 3) Labour – skilled one from outside and not the local one i.e. farmers, landless labourers who are less skilled 4) Entrepreneur – Indian or Foreign businessman who set up SEZs in India. Thus a violation of Rawls concept of Social Justice Sustainability/sustainability development does not only mean environmental protection. It thus implies a new concept of economic growth – and one which provides fairness and equal opportunity for all, and not a privileged few, without destroying worlds finite, natural resources and without compromising the caring of the world. Hence sustainable development depends upon development which is economically and socially sustainable. Hence if SEZ are being built then the crucial issue of sustainable development has to be taken into consideration first and foremost.

Sustainability also has an urban dimension such as water supply, electricity pollution – air, water and other infrastructure facilities – road, transport, communication, sewage/garbage disposal and sanitation thereby putting unprecedented pressure on the civic facilities. Thus, lastly development at the cost of displacement and a reversal of the Law of Diminishing Marginal utility and that where the ‘satiation’ stage would never really occur in the case of setting up of SEZ in India. The critical issue of sustainability is further compounded by the SEZ by posing a serious threat to the farmers as well as the agricultural sector.

The setting up of SEZs would pose a big threat to water security and it would be three types of impacts that SEZs would pose on access to water for the people in the SEZ area (1) First would be due to the diversion of water for use within the SEZ (2) Secondly, in part would be caused due to the release of effluents/toxic substance from SEZ plants for example in the state of Gujarat Ankleshwar (River waters are already heavily polluted) (3) Thirdly the conversion of land to SEZ would mean destruction of ground water recharge systems. Moreover in India, the right to extract ground water continues to be connected with the ownership of land. Hence even if SEZ is located in a small areas, huge amount of water would be used up by SEZs thereby drying of underground water wells even of the surrounding areas, thus

leading to conflicts between SEZ zones vs local residents. I am reminded of the Marxian concept of ownership of means of production and control over forces of production thereby the entire basic infrastructure –control over water as well. Thereby reiterating that ownership of land is equated with access/control over water which is indeed very precious and scarce. Thus a cumulative impact of all this could have serious implications and even further aggrandize, precipitate ‘water crisis’ in already water scarcity prone areas (natural imbalances) drought prone areas. Thus if an SEZ were to be set up in such an arid area then it would be a case of manmade ‘created’ imbalances further compounding natural ones. Lastly the crucial problem of land acquisition for SEZs on a massive scale would result in putting agricultural development as well as irrigational facilities in a ‘jeopardy’.

Even though the notion of ‘public purpose’ exists, its critique would be its use for ‘private purposes’ (vested interests – developers’ government officials – industrialists’ nexus. <sup>17</sup>(C. W. Mills 1959, Power Elites) Thus corruption, connivance, loopholes in the legislatures would further accentuate the problem of sustainability of our precious, fragile ecosystem. Sustainability has another dimension to it ‘viability’ – Lastly the entire crux of the SEZ issue stands upon a precarious pedestal of viability in terms of expenditure tax holiday – thereby a loss of revenue to the exchequer as well as ‘development induced displacement leading to displacement, unemployment, poverty of farmers, share croppers, agricultural landless labourers – a classic case of Durkheimien concept of ‘Anomie’ coupled with un-reparable damage to our precious environment thereby a threat to sustainability. Thus do we really need SEZs to boost our economy – to attain the much hyped are indeed GDP 10? SEZs are nothing but a ‘white elephant’ to be sustained by our already fragile/fractured economy?

## Conclusion

Thus the paper tried to explore into the most hotly debated and controversial issue regarding the setting up of SEZs in India. The major issues discussed were those of displacements unemployment, marginalization. A critique of the debate regarding the setting up of SEZs in India was also presented.

The major issues discussed were those of displacement unemployment, marginalization. A critique of the debate regarding SEZ which is itself premised upon two points of views. The first view is that SEZ are seen as the growth engines to India development or in order to achieve the much awaited, aspired 10% GDP, SEZs will serve as a source to facilitate foreign investment.

The other assumption is based on a more human rights based approach i.e. ‘SEZs would lead to development but at the cost of displacement, thereby an erosion of social justice and violation of human rights. After a careful examination of the pros and cons however revealed that the disadvantages outweigh the advantages of setting up of SEZs. In spite of the much widely advertised/acclaimed NPRR 2007 and particularly the section on Rehabilitation and Relocation of the displaced of not only due

to SEZs but other projects such as construction of dams, thermal power projects; the amendment to LAA (1894 Land Acquisition Act) which earlier only provided compensation, whereas the new R&R policy would ensure relocation/rehabilitation, employment, training to learn new skills relocation into new land or a minimum of wages for 750 days for the displacees. Lastly, the very idea of giving lifelong pension to orphans, widow, handicapped destitute but at what cost? Thus SEZs would be nothing but an artificially created anomaly i.e. a paradigmatic shift from an agricultural economy to an industrial/super-industrial economy. Another crucial factor is the loss of revenue on account of a tax holding for SEZs for a period of 10 years. Thus ultimately SEZ would become like an 'white elephant'.

The effects of climate change will increase. However, there is no certain formula for increasing per capita income and inculcating adaptively efficient institutions in LDCs like Bangladesh. For many, if not most, of them, the process will require substantial international assistance, which so far has not been forthcoming. To end on a more optimistic note, developed countries certainly have the capability to mitigate a significant percentage of their GHG emissions at reasonably low cost; and assist LDCs to adapt to changing environmental circumstances by funding discrete adaptation projects and broader economic development projects. Being one of the most vulnerable states to climate change adverse impacts, Bangladesh should raise their demands to the developed countries regarding climate financing so that it can efficiently implement more and more adaptation projects to combat climate change. Carefully tailored foreign aid will enable Bangladesh to improve living standards, thereby offsetting some of the costs of climate change. We may also hope for limited improvements to overall adaptive efficiency in our economy.

## Notes

<sup>1</sup> Karl Polyani, *The Great Transformation: The Political and Economic Origins of our Times*, Boston: Beacon Press Publication, 1944.

<sup>2</sup> Thomas Kuhn, *The Structure of Scientific Revolutions*, USA: University of Chicago Publication, 1962.

<sup>3</sup> Polyani, *The Great Transformation*.

<sup>4</sup> Emile Durkheim, *Division of Labour*, New York and London: Glencoe, Free Press/Macmillan, 1893 & 1964.

<sup>5</sup> Amartya Sen, 1983. "Liberty and social choice." *Journal of Philosophy*, 80:18-20

<sup>6</sup> John Rawls, *A Theory of Justice*, Cambridge, Massachusetts, Harvard University Press, 1971.

<sup>7</sup> C. W. Mills, *The Power Elite* Galaxy Book, New York: Oxford University Press. 1959.

<sup>8</sup> "India doesn't need SEZs: Bhagwati," *Times of India*, October 19, 2006, See: <https://timesofindia.indiatimes.com/india/India-doesnt-need-SEZs-Bhagwati/articleshow/2201326.cms>

<sup>9</sup> "IMF warns India on SEZs," *Rediff.com*, September 14, 2006; See: <http://www.rediff.com/money/2006/sep/14sez.htm>

<sup>10</sup> Amartya Sen, (Ed) *Capability and Well-Being – Being: Source the Quality of Life*, New York, USA: Oxford Clarendon Press, 1995.

<sup>11</sup> Durkheim, *Division of Labour*, 1893.

<sup>12</sup> M. M Cernea, "Why Economic Analysis is Essential to Resettlement: A Sociologist's View" in 'The Economics of Involuntary Settlement: Questions and Challenges', M. Cernea (Ed) *The World Bank*, Washington, 1999, pp: 5-49.

<sup>13</sup> John Rawls, *A Theory of Justice*, Cambridge, Massachusetts: Harvard University Press, 1971.

<sup>14</sup> Durkheim, *Division of Labour*, 1893, 1964.

<sup>15</sup> Amartya Sen, (Ed) *Capability and Well-Being: Source the Quality of Life*, New York, Oxford: Clarendon Press, 1995.

<sup>16</sup> Cernea, 'Why Economic Analysis is Essential to Resettlement,'p.17.

<sup>17</sup> C. W. Mills, *The Power Elite*



## Commentary

# Past Conflicts and the ‘Refugeeization’ of the Rohingya People: A Reappraisal

By

Rachel D’ Silva\* & Sudeep Basu †

### Introduction

A boat carrying seventy Rohingya migrants set out for Malaysia from Myanmar a month back.<sup>1</sup> Not long before between 2014 and 2015 about a lakh of migrants and refugees were estimated by the United Nations to have taken a journey by sea to escape from violence and conflict. The many locations in which the Rohingya are displaced, in bordering areas, inside and outside of the State and in far countries of South and Southeast Asia opens the window to the multi-dimensional nature of violence and decades of persecution that have brutally affected the Rohingya. The refugee’s vulnerability at sea, exploitation and rejection unearth the insecurity faced by disenfranchised persons fleeing conflict. The paper begins with a discussion of the Rohingya refugees as an issue between two countries to which is linked their statelessness through policy and practice. Both persecution and state of statelessness are responsible for their ‘refugeeization’. The paper attempts to discuss these aspects and the links it has with prospects of development and management of conflicts.

### The Rohingya as a ‘Refugee problem’

In order to understand the current issues facing the Rohingya it is necessary to contextualise the problem from the perspective of the state. In her discussion on “The Refugee problem from an official account”, Kazi Fahmida

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highlighted the perspective of the state of Myanmar, of Bangladesh and of non-state actor, the UNHCR.<sup>2</sup>

The Rohingya are located in a precarious territorial space close to the maritime boundary of two countries. Repeated waves of displacement across the border resulted in the Rohingya becoming a refugee population. The Bangladeshi position is that the Rohingya are refugees from Myanmar who will have to return back. Myanmar on the other hand does not accept 'a people' wanting to claim a political identity and ethnicity as Rohingya and originating from Myanmar. Taking into account the sovereign state's interest in border security and controlling insurgency the situation of the Rohingya people has also become a problem between two states.<sup>3</sup> Secondly, considered a floating population by Myanmar and Bangladesh, the Rohingya presence creates concerns of extra legal border crossing for the two countries.<sup>4</sup> The third issue is that the political issue of citizenship of the Rohingya has not preceded repatriation solution to the conflict, "the Rohingya are thus forced to go back and then come again."<sup>5</sup> Previous historical accounts of the Arakan region record that the Rohingya faced displacement to neighbouring regions fleeing from forced labour needed for war by the Burmese king.<sup>6</sup> The author recounts how people displaced by war from this region were to be settled in what was considered 'wasteland territory' by the Company rule. This narrative of their settlement under the Company rule describes the history of dispossession faced by these people. Within the framework of state interests, the Rohingyas are in an uncertain location. Their situation of disenfranchisement and persecution has exacerbated the difficulty, making them a refugee problem.

### **Major Waves of Conflict-induced Displacement**

The first large refugee movement of Rohingyas across Naf River of some 3,500 persons was in 1975. It was caused by forced resettlement and destruction of their homes. The operation *Nagamin* with the stated objective to eliminate extremists and illegal immigrants led to another refugee wave of 2, 20, 000 people into the area between Teknaf and Cox's Bazaar in Bangladesh in 1978. Since then by tackling rebel groups in Arakan the military led exodus built up.<sup>7</sup> The exodus of 1992, is termed as the second major push, in which 2,50,000 Rohingyas targeted by the military fled to Bangladesh. According to Imtiaz Ahmed, what was different about the second exodus was the condition under military government trying to consolidate its power by targeting the Rohingyas and gaining support of the Buddhist and wrecking the unity of Arakanese.<sup>8</sup>

### **Sectarian Flames, Internal Displacement and the Refugee Crisis since 2012**

The conflict that appeared to have triggered the exodus of Rohingyas from Myanmar by boat from 2012 to 2015 resulted in the substantial number of

internal displacement in Myanmar, of nearly 1,500,000 people. Having the nature of a sectarian conflict between the Buddhist and Muslims a number of persons became confined to camps for internally displaced persons. Internally displaced people face fear of the perpetrators and protection risks within the camps especially if they are in position of lesser power in the conflict. The condition of those displaced in Myanmar camps make them prone to natural and man-made disasters due to protracted displacement.<sup>9</sup> Unless there is an effort to rehabilitate and integrate them back into society, Rohingya people will witness a humanitarian crisis. The explosion of refugee crisis was immediate to large scale internal and external displacement of Rohingyas in Myanmar since 2012. Prevalence of dominant discourse of national identity of political majority and culturally dominant groups has aggravated the communal divide between Rohingya and Rakhine people and led to incidents of violence against Rohingyas at the hands of local Rakhines.

The year 2017 saw six lakh and twenty thousand new arrivals to Bangladesh as of November 2017. The build-up of inter-communal tensions preceding as well as in the wake of events following 25 August resulted in Rohingyas fleeing due to fear instilled in them by burning of homes, mosques, villages, arson, inflicted violence on men, women and young children.<sup>10</sup>

### **Fated to be Persecuted!**

The persecution that Rohingyas face in daily life is part of circumstances of Rohingya. "In their case, 'fear' is not just a subjective personal experience; rather, it has penetrated into their social memory."<sup>11</sup> In Farzana's documentation of social memories of violence and struggle for life, refugees narrated how they have to give more than half their produce to military and the land on which they produce is not regarded as their property. Related to temporary citizenship is the severe restriction on freedom of movement under Foreigners Act of 1940 to which the Rohingya are subjected to in Myanmar. Rohingyas are forced to work as labourers without being paid to build model villages, in state run profit making industries, infrastructure projects, and military camp maintenance, construction sites many times having to leave their families for days and work in far off places. The restrictions on movement, heavy taxes on marriage they face in the Arakan state are legitimised because of the lack of identity documents.<sup>12</sup> The abuses related to forced and unpaid labour and restrictions on movement are related to the denial of citizenship rights that those who are considered citizens of the state would not be subject to. The Rohingyas live in conditions of slavery and life imprisonment in home state which they recalled as '*zulum*' in their social memory.<sup>13</sup>

Loss of livelihood, confiscation of farmland and property leading to deprivation of livelihoods and malnourishment were the chief reasons for displacement of the Rohingyas. The unaffordable taxes imposed on registration of marriages and child birth were other drivers of displacement. Forced relocation of people and segregation is one step before many are forced to leave for Bangladesh from unliveable circumstances in which they

are relocated. People face daily trouble from local Rakhines who are village leaders. Though the options remain of going back to reunite with home, the Rohingya who have faced torture at the hands of locals fear return. There is daily threat of being raped in Myanmar if one stays there with women or daughters in the family.<sup>14</sup>

All the abuses faced by Rohingya are on account of their lack of citizenship status; as a result they cannot claim protection or rights against excess by the State. Being culturally different from the majority of population in Myanmar they face issues of belonging and fear of the majority in the political community.<sup>15</sup> The forced migration of Rohingya is linked to their identity that creates an obstacle for their belonging in the social and political community.

### **Becoming Refugees at Large, Coming into South Asia**

For most refugees the journey entails crossing mountains, rivers or sea. Many families have to walk through geographies such as No Man's land and jungle to seek protection for their lives. They have to cross at least one international border to seek safety for their families.

In the case of two refugee girls whom the author spoke to, their feet became swollen when they were fleeing for safety from conflict in 2012 as they had to walk and cross a mountain to arrive at a safe district. They had to first take refuge in home of relatives because of violence on streets. One man who was the *maulavi* in the mosque back home was in hiding for two weeks in the jungle near his home town before he fled from the country. Another man said, "We walked wherever we saw the road." In order to transport two young children who could not walk one man paid fifty thousand rupees for each to a labourer in his own country. For some it takes three days, for some two days and for some an hour to cross to Bangladesh. Most people come without having food, water or rest for days together. Some people come using all their savings and borrowed money from others. Refugees discussed the severe restrictions on access to education for children, restriction on religious freedom, money to be paid for moving from one place to another back at home. One girl said that those who cannot move out kill themselves. All the persons that this author spoke to emphasised the fear of violence that they were fleeing from in their own country which was the toughest part of their journey. Most Rohingya are unwelcome in the South Asian route primarily because they lack a legal status and travel documents of their country of origin. One person said they came to India because they heard that in India they could get a refugee card. According to those interviewed in many case the second or third generation is facing the conflict.

### **Refugeehood and the Boat Crisis**

Academic and policy accounts have noted that Rohingya have two options: either stay and die or leave by boat.<sup>16</sup> From the onset of the 2013 to 2015 boat crisis, the refugees fled in ramshackle boats to the nearest accessible points of

refuge.<sup>17</sup> There was a situation in which boats were abandoned at sea by traffickers following a crackdown by Thai authorities. These journeys have resulted in loss of numerous lives at sea. Further, what began as a journey trying to escape conflict was transformed into exploitative journey due to their status as refugees.

Having survived perilous journeys by boat about 1500 Rohingya men, women and children testified to exploitative conditions under which they journeyed and managed to reach the coast of Indonesia in May 2015.<sup>18</sup> Malaysia was the destination for many of those who were rescued in Indonesia.<sup>19</sup> Most people who survived this boat crisis were approached by local people in Bangladesh and Myanmar who offered to take them to Malaysia. Involved in the boat crew were people from Thailand, Myanmar and Bangladesh. People were transferred across several boats during the journey and spent up to two months on the large boat. A couple of survivors of the boat crisis told the interviewers that they were kidnapped near the camp and sold off to the boat. Those who took Rohingya on boat did so to traffick them into exploitative labour either on land or at sea.

Exploitation being part of trafficking process where severe abuses are inflicted on persons in order to extract a ransom of sum of money, many testified that once they paid the 7,500 Malaysian Ringgit they were transferred on to another boat and eventually managed to reach the destination. People are killed if they are sick or not able to pay ransom. The refugees faced killings, beatings and ill treatment in inhuman and degrading conditions in sea.<sup>20</sup> Investigations by *The Guardian* in 2015 established that a lucrative business thrived in the holding camps in the jungles of Thailand when the Rohingyas landed on shores in Thailand and then sold to Thai fishing boats. The Thai camps were functioning since 2013. Those sold to fishing boat were transported by cars to boats and then kept tied to the boat on the seas for years during which they never got to see the shores. The same investigation reported the earning from ransom money by holding Rohingya migrants.<sup>21</sup>

### **Humanitarian Concerns, Protection and the Looming 'Rohingya' Crisis**

Both humanitarian concerns and protection of refugees are the new challenges of displacement that are outcomes of conflict that impact the Rohingya. People living in abject conditions in settlements of Teknaf and the Cox's Bazaar face permanent humanitarian concerns. The Rohingya settlements in Bangladesh where 7,00,000 people have fled in 2017 is prone to cyclone and flood. Even with assistance of humanitarian organisations new and temporary settlements, makeshift camps face risk of landslide and outbreak of disease. Refugee women and girls live under risk after facing conflict. Many women are vulnerable especially if they have to single handedly support their children. Refugees who move out or are trafficked are from the unregistered camps in Bangladesh.<sup>22</sup> As a substantial number of Rohingya refugees have uncertain legal status due to their lack of citizenship documents and temporary citizen documents, host countries find it challenging to protect

them while also having to safeguard public and national security. Thus the statelessness of Rohingya continues to impact their protection needs till they find a country to belong.

## Conclusion

The discussion above resonates with Imtiaz Ahmed's discussion of the several dimensions of the conflict contributing to a dismal state of living for the Rohingya. According to Ahmed, one of dimensions of the conflict is the 'Refugeeization' of the Rohingya in which he throws light on the two fold nature of the problem. One, there is conflict between Rohingya and local population in the border region which was not so much earlier; and two, that proactive political outfits of Rohingya in the State have increased militarisation and brought uncertainty to repatriation for the community.<sup>23</sup>

The refugee problem of the Rohingya is linked to the statelessness and exclusion faced by them. On the one hand, the Rohingya face the two fold problem of their unclear political identity<sup>24</sup> and a policy of political and social exclusion by the Myanmar state towards Rohingya within its territory as it strives to preserve its own national identity.<sup>25</sup> Linked to national identity preservation is the discourse of the state backed majority versus ethnic minorities in Myanmar. "The Rohingya are subjects of systematic coercion, alienation, and marginalization, within and outside Myanmar. Solution to the refugee problem is how to restore or solve the question of the 'identity' of stateless Rohingya refugee people? How can they ascertain their identity?"<sup>26</sup> In recent months Myanmar is witnessing another conflict of Kachin ethnic minority who are fleeing from their villages.

"We were pushed into these separate places so that we don't mix with the Rakhine, even if we are interested to," said one Rohingya who was segregated by force and put into another area.<sup>27</sup> The perception of 'us and them' that they face as violence affected traumatised, internally displaced people can lead to isolation, segregation with the country if they are not successfully integrated back into society.

The Rohingya refugee vulnerabilities in South and Southeast Asia has opened up the debate on human security of persons who are on the move as an outcome of the conflict. Stories of trafficking, kidnapping around the camps, forced trafficking of women inside and outside the camp, people forced to take to boat journeys and driven away are added protection concerns to be addressed by the host government and international community. In the absence of adequate refugee law in host countries, the question of adequate protection of victims still remains. The nature of the refugee flow should lead to ask questions about the on- going dimensions of conflict and its outcomes.

## Notes

<sup>1</sup> Reuters, Kuala Lumpur, "Boat carrying 70 Rohingya migrants on its way to Malaysia", *The Straits Times*, 14 April 2018. Available at <http://www.straitstimes.com/asia/se-asia/boat-carrying-70-rohingya-migrants-on-its-way-to-malaysia>, accessed on 15 April 2018.

<sup>2</sup> Kazi Fahmida Farzana, *Memories of Burmese Rohingya Refugees—Contested Identity and Belonging*, New York: Palgrave Macmillan, 2017, pp. 59-86.

<sup>3</sup> Farzana, *Memories of Burmese Rohingya Refugees*, p. 60.

<sup>4</sup> The Repatriation bilateral agreement between Myanmar and Bangladesh in 1978 contained several conditions along with clause to prevention of illegal crossing of border from both the sides. See Farzana, *Memories of Burmese Rohingya Refugees*, pp. 66, 67, 89.

<sup>5</sup> Farzana, *Memories of Burmese Rohingya Refugees*, pp. 80, 81.

<sup>6</sup> Anandroop Sen, "A Lost Population? East India Company and the Arakanese 'Refugees' in Chittagong", *Refugee Watch* 46 (2015): 1-20.

<sup>7</sup> Carl Grundy-Warr and Elaine Wong, "Sanctuary under a plastic sheet: the unresolved problem of Rohingya refugees", *IBRU Boundary and Security Bulletin* (1997): 83.

<sup>8</sup> Imtiaz Ahmed, *The Rohingyas: From Stateless to Refugee*, 2015. Available at [www.mcrg.ac.in/WC\\_2015/Reading/D\\_stateless\\_Refugee.pdf](http://www.mcrg.ac.in/WC_2015/Reading/D_stateless_Refugee.pdf).

<sup>9</sup> In June 2017, Cyclone Mora affected large parts of Rakhine State and the camps of IDPs were the hardest hit.

<sup>10</sup> MOAS, *The Rohingya Survey 2017*, Xchange: Research on Migration (2017). Available at <http://xchange.org/reports/TheRohingyaSurvey2017.html>, accessed on 21 April 2018.

<sup>11</sup> This statement is based on Kazi Fahmid Farzana's analysis of documented social memories of refugees displaced in border areas between Bangladesh and India. See Farzana, *Memories of Burmese Rohingya Refugees*, p. 108.

<sup>12</sup> Farzana, *Memories of Burmese Rohingya Refugees*, pp. 91, 94.

<sup>13</sup> Farzana, *Memories of Burmese Rohingya Refugees*, p. 91.

<sup>14</sup> Farzana, *Memories of Burmese Rohingya Refugees*, pp. 103, 109.

<sup>15</sup> One poem by Aleya Banu, an undocumented refugee who lives in the hilltop area close to Naitong village talks of the fear of being surrounded by *Mogs* (Rakhines) in Burma and difficulty in land surrounded by the Rakhines. "We spent our life crying/ Surrounded by the Mogs in Burma/ So we've left behind homeland/ Fearing torture of the government." See Farzana, *Memories of Burmese Rohingya Refugees*, p. 205.

<sup>16</sup> Amnesty International, "Fleeing Horror in Myanmar", *Deadly Journeys: The Refugee and Trafficking Crisis in Southeast Asia*, report by Amnesty International, 2015, pp. 11-14; Su- Ann Oh, "On the Rohingya, Statelessness and "Trafficking": Separating the Fundamental from the Sensational", *ISEAS Perspective* 32 (2015). Available at [https://www.iseas.edu.sg/images/pdf/ISEAS\\_Perspective\\_2015\\_32.pdf](https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2015_32.pdf), accessed on 17 April 2018.

<sup>17</sup> In 2014 approximately 63,000 people had made irregular and dangerous journeys by boat in the Bay of Bengal and Andaman Sea. The United Nations High Commissioner for Refugees (UNHCR) estimates that in the first six months of 2015, 31,000 people left the Bay of Bengal on irregular journeys by boat.

<sup>18</sup> The women interviewed by Amnesty International testified, "We felt so sorry whenever we saw the people dead and thrown to the sea. The people are dying on the ground in Myanmar [...] and they are dying in the sea too." Interview of 15-year old

Rohingya girl, Aceh on 12 August 2015. See *Deadly Journeys: The Refugee and Trafficking Crisis in Southeast Asia*, report by Amnesty International, 2015.

<sup>19</sup> Malaysia hosts some 1.9 million to 5 million irregular migrant workers.

<sup>20</sup> Amnesty International, “Abused and Stranded at Sea”, in *Deadly Journeys*, report by Amnesty International, 2015, (pp. 15- 28).

<sup>21</sup> Emmanuel Stoakes and Chris Kelly, “Revealed: how the Thai fishing industry trafficks, imprisons and enslaves”, *The Guardian*, 20 July 2015. Available at <https://www.theguardian.com/global-development/2015/jul/20/thai-fishing-industry-implicated-enslavement-deaths-rohingya>.

<sup>22</sup> This information was shared by a UN protection officer to the author.

<sup>23</sup> Ahmed, *The Rohingyas: From Stateless to Refugee*.

<sup>24</sup> The Rohingya refused to be identified as ‘Bengali’ in the first census after 1983 conducted in 2014. It has been reported that they are being forced to accept National Verification cards that state they are Bengali which means illegal immigrants. The Myanmar Government’s perspective is that they are Bengali Muslims.

<sup>25</sup> By Myanmar’s citizenship law of 1982 they had to accept being associate or naturalised citizens. In order to qualify for associate citizenship, a person’s ancestor must have applied and been acknowledged as an associate citizen before 1982 under the Union Citizenship Act. Rohingyas could qualify for naturalised citizenship if they were born in Burma and their parents resided in the state before 1948; or if one of the parents was recognised as a naturalised citizen. As of today they face the two fold problem of *de jure* and *de facto* statelessness in Myanmar.

<sup>26</sup> Farzana, *Memories of Burmese Rohingya Refugees*, p. 81.

<sup>27</sup> Farzana, *Memories of Burmese Rohingya Refugees*, p. 101.



## Commentary-II

# Exploring the Environment and Migration Nexus in the Brahmaputra Valley

By

**Murchana Roychoudhury\***

### Introduction

Rivers have stories to tell; authors like Mark Twain, Hermann Hesse and Amitav Ghosh brought beautiful narratives about people with the backdrop of rivers. Similarly, the river Brahmaputra has been a source of inspiration for many poets and story-tellers from Assam. The Brahmaputra originates in the Angsi glacier in Tibet and undertakes a long journey as it transverses into India, flows into Bangladesh to finally pour into the Bay of Bengal. Like the inhabitants along its banks, the Brahmaputra embraces a heterogeneous identity. This heterogeneity has been the cause for celebration as well as conflict. This paper reflects some of the key anxieties that arise when climate change induced environmental disasters are recognised as catalysts for internal displacement and migration along the Brahmaputra valley. It reviews the available literature with respect to correlations between environment, displacement, migration and conflict. Contemporary debates about environment-induced displacement, historical perspectives of migration in Assam along with, adaptation, mitigation and accommodation policies of the state are some of the components of this study.

### Definitions and Categorisations

Starting from the historic Brundtland Commission Report where climate change was considered a 'plausible and serious probability' to the formation of the Intergovernmental Panel on Climate Change, public perceptions and policy actions have come a long way. There is enough scientific evidence to

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support concerns pertaining to climate change and its immediate effect on humans. Yet, there is still significant lacuna in addressing climate change from many international communities. Perhaps the biggest obstacle in the way of policy making for the people displaced due to environmental issues triggered by climate change is the lack of definitions. In this context, definition is crucial to accomplish the task of identifying the target groups. “Debates around linkages between environmental degradation and forced migration have led to the emergence of a range of highly contested terms – primarily environmental refugee, but also environmental migrant, forced environmental migrant, environmentally motivated migrant, climate refugee, climate change refugee, environmentally displaced person (EDP), disaster refugee, environmental displacee, eco-refugee, ecological displaced person and environmental refugee-to-be (ERTB).”<sup>1</sup> Despite available scientific estimations of climate change induced displacement, discrepancies emerge because it is very difficult to isolate the causes for migration. Though, there has been a growing consensus with respect to the categorisation of environment migrants as Internally Displaced Persons (IDPs), the idea of environment refugees still lacks institutional support.

### **Environmental Vulnerabilities in the Brahmaputra Valley**

The environment and migration nexus is one of the most under-researched and under-recognised aspects in understanding climate change. “Disasters triggered by natural hazards caused twice as many new displacements in 2015 as conflict and violence. Over the past eight years, there have been 203.4 million displacements by disasters”.<sup>2</sup> The global south will undoubtedly have to bear disproportionate costs of the effects of climate change due to inadequate coping mechanisms. The North East region of India and its neighbouring countries like Nepal and Bangladesh are particularly vulnerable to even slight deviations in weather patterns; flash floods and landslides occur frequently in these areas. The Global Internal Displacement Report suggested that in absolute figures, India topped the list with the maximum number of internal displacement cases due to disasters. Research about climate change implications in India has mostly been limited to studies done in the Sunderbans delta region. Similar studies to explore causes and effects of natural disasters due to climate change have not been undertaken on a significant scale in other highly vulnerable areas like the Brahmaputra valley in Assam. Several studies have proven that Assam lies in a highly climate sensitive region and lacks the potential resources to mitigate any climate change induced disasters.<sup>3</sup> Anil Roychoudhury, in his book, *The Social Structure of Lower Assam* describes how the narrative of the socio-economic fabric of many districts lying in the lower course of Brahmaputra experienced a structural change after the alteration of the course of the river and its tributaries.<sup>4</sup> Being an alluvial river, the Brahmaputra has an old history of flooding. But the magnitude of floods and its devastating effects on the lives of people has seen significant increase in the past decade. Though there are

several natural causes for the floods, closer inspection reveals that human interventions also have a role to play.<sup>5</sup> The Fourth Assessment Report (AR4) of IPCC includes substantial evidence linking anthropogenic climate change to precipitation patterns and flow of rivers. Massive dams constructed on the Brahmaputra and its tributaries also contribute to the unpredictable nature of the floods in the valley. The intensity of flood, riverbank erosion and landslide has increased substantially over the years in terms of area and victims.<sup>6</sup>

Floods in the Brahmaputra valley have far-reaching consequences on the lives and the livelihoods of people living there; the worst affected are the river islands, followed by the villages in districts that lie close to the river. Most of the population along the river banks is engaged in agriculture. Deforestation has led to increased erosion of the top soil, which further leads to aggravated sedimentation, which in turn decreases the water retention capacity of the river. Large tracts of land are swept away by the river every year. The instability caused by flash floods and frequent erosion of soil renders most people homeless and landless. Dispossession of land pushes people into the fringes, as they try to cultivate newer lands by clearing forests. Thus, what begins as a consequence of deforestation, leads to further deforestation. In a case study done by Debojyoti Das in the island of Majuli, it was found that besides loss of cultivable land to the river, silt deposits post flooding in the farmlands posed an equal challenge for agriculture.<sup>7</sup> Each episode of flooding adds to the vulnerabilities of the people living in the affected regions as more and more people fall under the category of IDPs. A total crop area of 99,416.44 hectares was destroyed in the floods that took place in the valley during the monsoons of 2016.<sup>8</sup> Apart from crops, there is enormous infrastructural damage. Houses, schools, embankments, roads, bridges and power transmitters are destroyed each year. Vulnerability of people to water-borne and vector-borne diseases increase significantly. Living under these circumstances while bearing the costs of natural disasters year after year, often compel people to look at migration as a feasible alternative.

### **Historical Context of Migration in Assam**

Migration has played a central role in shaping Assam's socio-economic fabric over the ages. During colonial times, Assam saw a large wave of migration as people from Central India were taken to work in the tea plantations of the British. There was scarcity of labour in Assam as most of the indigenous people lived subsistence lives. The second wave of migrants came from East Pakistan, post-independence.<sup>9</sup> Irregular migrations to Assam happened simultaneously from parts of Nepal along with traders from different parts of India who saw the growth of a potential market in Assam.<sup>10</sup> These varied experiences of influx of migrants from several parts of South Asia gave rise to insecurities among the native communities of Assam. Fault lines emerged as soon as economic deprivations were correlated to the growing numbers of the migrant communities and it manifested in the form of the Assam Andolan, where a large section of urban youth initiated a political campaign against the

“foreigners”. Thus, assessing the current migration trends without considering the historical context might give fairly misleading results. Though the linkages between environment and migration are yet to be fully explored, it is an undeniable fact that there are strong undercurrents of the phenomenon of forced migration in Assam. Districts like Goalpara, Dhubri and Bongaigaon have a sizeable population of people who do not fall into the conventional Assamese speaking category. Their dialect is largely influenced by Bengali, owing to their geographical proximity to Bangladesh and West Bengal. Also, these are some of the districts which are worst affected by floods during monsoons. Thus, when migrants from these districts find themselves in cities, there is often an identity crisis that accompanies them. Often, in cities like Guwahati and Nagaon, the general skepticism about Bengali Muslims being illegal immigrants from Bangladesh is further extended to include almost any Bengali-speaking migrant or Muslim migrant. Thus, confusion regarding linguistic and religious identities translates into discrimination and other cases of ethnic conflicts in the urban centres.

### **Socio-economic Conditions of IDPs in the Brahmaputra Valley**

North East India has always been an epicentre of conflict, be it international conflict, violent secessionist movements or ethnic clashes. The process of identifying IDPs in this region is often coloured by the state’s attempts to manipulate the numbers in order to hide the failures of their policies, or the lack of policies itself.<sup>11</sup> A large number of people are displaced due to loss of land during floods. “In the past the state would provide land to the people displaced by erosion. But in the recent decades, the state finds it difficult to continue with this due to ever increasing pressure of population on land.”<sup>12</sup> State support to IDPs has usually been seen in the form of relief camps. A survey followed by a report documented by the Asian Commission for Human Rights revealed that IDPs seeking shelter in the camps lived in sub-human conditions without adequate provisions for food, clothing and sanitation. The Criminal Investigation Department of Assam Police also revealed that the people living in the relief camps are the most vulnerable to the flourishing flesh trade in Assam. In the case of environment-induced displacement like floods, the possibilities of rehabilitation are usually bleak. Large areas of the Brahmaputra valley are still highly dependent on the agrarian economy. The livelihoods of the people are closely linked to their land and the river. When the river erodes their land, they are immediately dispossessed of their source of livelihood. In these circumstances, the scope for rehabilitation in the same area is very limited. Naturally, the IDPs are forced to migrate in search of employment. Intricate links between environment-induced displacement and consequent migration in search of economic activities contribute to the discrepancies in the environment migrants’ debate. The vulnerabilities of forced migrants are manifold. “These vulnerabilities do not exist discretely but overlap in complex ways.”<sup>13</sup> There is a legal protection gap due to the ongoing debates on identifying environment

migrants, there are higher possibilities of the migrants facing social discrimination and there is acute uncertainty about the economic prospects in a new location.

In the case of Brahmaputra valley, displacement and migration are consequences of not just natural disasters. The changing patterns of rainfall indicate strong evidence that climate change is partly responsible. The dynamic nature of climate change brings along with it enormous uncertainties. It is the state's responsibility to not just conduct relief operations post disasters, but also to enhance adaptive capacities for the vulnerable communities. Overarching effects of climate change can already be seen in Bangladesh. Increased media attention and growing research has compelled the state and the international agencies to push for mitigation policies in the country. Assam shares a land boundary with Bangladesh; the geographic features of both the areas have many commonalities. Despite that, in comparison to Bangladesh, India's approach to understanding and formulating mitigation policies for climate change in the Brahmaputra valley has been lackadaisical, with a missing sense of urgency.

### **State Intervention for Mitigating Effects of Climate Change on the Environment**

The role of the state becomes extremely important to manage the complexities that arise out of such migration. Mitigation policies for forced migration need to focus on four key aspects- reduction of vulnerability, promotion of adaptation, resilience and sustainability.<sup>14</sup> Many a times in the case of environment induced displacement, migration becomes a necessity rather than a choice. Capacity building measures should be initiated to ensure that the people from vulnerable communities can expand their livelihood options and diversify their income sources to reduce their dependencies on land. Adaptation interventions should include participatory methods to strengthen local institutions and increase their preparedness to cope with disasters. Risk mapping is one such participatory method where the community self-identifies and assesses the risks associated to their societies.<sup>15</sup> Anderson and Woodrow suggested in the 1990s that disaster relief should not treat the affected people as helpless victims, but as agents for their own recovery. But it is only to a certain extent that the affected can create resilient local structures like community risk management. State intervention is essential to create sustainable mitigation structures. Under the corpus of the National Action Plan on Climate Change (NAPCC), the State Action Plan on Climate Change was set up by the Government of Assam in 2015. The SAPCC has done various scoping studies and identified how climate change can affect a range of profiles like forests, habitats, agriculture, energy and urban settlements. However, the responsibility for adaptation rests upon several disintegrated departments. There is a need to bring in synergy between the actions of these departments for the successful implementation of the action plan. The SAPCC report acknowledges the physical and social

vulnerabilities, and the foreseeable impacts of climate change. Yet, there is no mention of any dedicated policy for the environment-induced IDPs.

### **Links between Migration, Environment and Conflict**

“People can adapt to environmental problems in three ways: stay in place and do nothing, accepting the costs; stay in place and mitigate changes; or leave affected areas”.<sup>16</sup> One of the most direct implications of environment-induced displacement is migration. “Lessening the need for distress migration is tied to decreasing pre-disaster vulnerability through building assets, ensuring proper health infrastructure is constructed, negotiating local terms of land tenure and use during dire situations (i.e. food shortages), and insuring crops.”<sup>17</sup> Assam has seen a massive, unplanned phenomenon of urbanisation in the last few decades. There are popular perceptions of labour demand in the urban centres within states. Cities and towns like Guwahati, Jorhat and Nagaon have been drawing large proportions of migrants in search of economic opportunities. Movement from rural to urban areas intensifies with the onslaught of environmental disasters, since they usually affect rural areas due to insufficient coping infrastructure. “A region that has a history of tension or conflict (particularly one that is related to migration) might be susceptible to increased instability due to migration influx.”<sup>18</sup> Assam’s local history of conflict, diverse composition of ethnicities coupled with a slow economy, is particularly susceptible to migrant-host conflicts.<sup>19</sup> There are several factors that instigate conflict between the migrants and the hosts in the receiving areas. Competition for limited resources is one of the key causes that drive hostility towards migrants. Cities like Guwahati and Jorhat are experiencing a huge influx of migrants. But infrastructure has not been able to keep up with the requirements of the growing population. Even though the cities are expanding as more and more people settle on the fringes, there is acute shortage of water and energy. Apart from competition for scarce resources, insecurities about group identities are also catalysts for the growing antagonism. The Assamese population is largely disintegrated due to cultural barriers on the basis of dialects, occupation and religion. There has never been any consolidated representation of the native population. Hence, an influx of migrants naturally raises concerns among the resident population regarding their ethnic identities. Assam’s gross domestic product (GDP) is one of the lowest among the states in India.<sup>20</sup> Low prospects of employment, a stagnant market, insufficient institutions for higher education and scarcity of resources like water in the cities have created an atmosphere of general discontent in the urban areas. Lack of affluent social networks and money drives the migrants to live in slums and other informal settlements. Alienation experienced by IDPs and forced migrants in urban spaces are multi-dimensional. Apart from the rural and urban gap, there exist differences even between the occupations of the urban poor and the migrants because of a mismatch in the skill sets. There is a sharp decline on the standards of living due to heightened non-food expenditures. Slums and other informal settlements are also the breeding

grounds for various diseases like malaria and typhoid. Migrants, especially women and children are also vulnerable to physical and sexual abuse in the urban slums. Political participation is also limited due to their status of being migrants. Thus, in a situation where the “substantive freedoms” of the migrants are excessively compromised, migrant communities usually develop their own coping mechanisms to reduce their vulnerabilities.

### **Looking Ahead**

Though floods have been a familiar phenomenon in the Brahmaputra valley, its changing magnitude is a cause of concern. The need of the hour is scientific research that throws light upon the nature of relationships between climate change and floods, floods and displacement and, displacement and migration. It is also necessary to reevaluate the notions about evidence. There are possibilities that the larger narrative about migration in Assam might get a complete makeover if anecdotes are construed as evidence. The lack of universal definitions is a challenge that can be overcome by bringing the issue of environmental migrants on the fore with extensive scientific research.

There is also a need for the increased participation of institutes like the National Disaster Management Authority to help create specialised mitigation policies for the floodplains in the Brahmaputra valley. Information dissemination at the community level about coping strategies should be the foremost priority as far as mitigation is concerned. Technology has the potential to be a game changer in processes of mitigating the adverse effects of climate change. The state needs to push for stronger integration of technology in its larger policies for climate change adaptation and mitigation, especially in the floodplains region.

### **Conclusion**

Climate change is a slow, ongoing process. It might take years to establish distinct correlations between climate change, its impact on the environment and consequent distress migration. But to dismiss it altogether as a potential factor is highly fallacious. The Brahmaputra Valley is home to several diverse cultures, tribes, terrains, flora and fauna whose existence is at threat now. The flood situation in Assam is getting intensified year after year. Erosion of the river banks is not just loss of land, it is the loss of human capabilities and creation of many physical vulnerabilities. Although there could be several factors behind the internal migration dynamics in Assam, there is a substantial population of displaced people who are resorting to migration. The lack of universally accepted definitions with respect to environment migrants is certainly a bottleneck in policy formulation specific to IDPs. Local, vulnerable communities and their knowledge bases should be engaged in mitigation measures for environmental degradation and its consequent displacement of people. Most importantly, in the case of Assam, the government needs to take concrete steps to safeguard the interests of the

IDPs. Along with increased economic opportunities, awareness about the crises in the riverbanks of the Brahmaputra needs to be generated in order to make the urban spaces more accommodative and non-antagonistic towards migrants.

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# Book Review

By

**Aditi Mukherjee \***

***Forced Migration: Current Issues and Debates***

**Editors: Alice Bloch and Giorgia Dona, London and New York:  
Routledge, 2019, Pages: 178, Price: INR: 2,700 (Paperback) INR:  
8,975**

The volume is a welcome contribution to the existing debates in the field of forced migration studies. It is set against the background of the ‘summer of migration’ in Europe and brings together contributions that range from theoretical discussions on the conception of ‘forced migration’ and displacement more broadly to empirically rich studies embedded in local contexts in different parts of the world. The chapters of the book are arranged around three conceptual cores: borderscapes and bordering practices, situations of protracted displacement and rights of forced migrants.

The two opening chapters outline the main theoretical frameworks that have evolved within the field of forced migration studies. They present a critique of the epistemological assumptions implicit in the prevalent exclusive categories of migration found in the official regime of refuge as well as academic literature on migration. The second chapter by Roger Zetter questions the distinction drawn between volition and force in migration studies. It highlights certain drivers of migration where it is difficult to draw distinctions between voluntary migration and involuntary displacement like impoverishment and rights deficit. The idea that voluntary migration and involuntary displacement are two different phenomena within a wider framework of human mobility is convincingly challenged. He advocates the need to transcend a legal status based criteria of eligibility for entitlement embodied in the idea of refugee. The chapter suggests the need for more inclusive categories which recognise the complexity of the ‘shifting statuses’ of irregular migration. His chapter proposes forced displacement as a broader and more inclusive category to understand myriad forms of human mobility. In

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chapter three, Paula Banerjee and Ranabir Samaddar present a similar critique of the strictly legal nature of refugee studies in its initial years and highlight how forced migration studies have come out of its restrictive legal framework through post-colonial intervention and evolved to embrace many other aspects of migration. Drawing on empirical insights from India's north east and the partition of the subcontinent and the mirror process of creating national boundaries, it shows how the contemporary refugee regime is biased towards the countries of the north and fails to ensure protection for a large number of the displaced. It also raises the important question of whether the protection regime should be premised on principle of humanitarianism with notions of care and hospitality or the on question of rights.

The rest of the chapters in the volume revolve around three important issues of contemporary forced migration, which include conditions of prolonged displacement, various strategies of border-scapes and resistance and the question of rights. The book provides a trenchant critique of the framework of refugee protection enshrined in the 1951 Geneva convention and the 1967 New York Protocol relating to the status of refugees. In view of today's contexts of prolonged displacements, the authors in the book rightly highlight that durable solution, central to UNHCR's approach to refugee protection premised on the ideas of integration, resettlement and repatriation has become a 'tired paradigm'. As Dona and Bloch note in the introduction, 'durable solutions are not providing a workable solution to global displacement and there is a global imbalance when it comes to responsibility for those that need protection.'

The book provides a convincing critique of the protection regime by delving into contemporary situations of protracted displacements. Experience show that 'resettlement,' one of the traditional durable solutions is an extremely uneven process. There is reluctance to grant resettlement in the countries of the north. The chapter by Jennifer Hyndman and Wenona Giles, drawing on their case study of Somali refugees in the Dadaab camp in Kenya emphasise that provisions of asylum or lack thereof in the north and protracted refugee situations in the countries of the global south are an integrally connected process. When migrants are offered asylum in countries of the global south, they are often granted the right of non-refoulement at the cost of every other right. As their study of the Dadaab camp show, refugees are not permitted to leave camps, and live a confined life. Here local integration is hardly possible. The consequence is 'protracted limbo where generations are born in camps and remain in camps.' Chapter six by Nassim Majidi and Liza Schuster problematise another 'durable solution,' that is voluntary repatriation. Drawing on research with Afghan refugees, they show that in today's world of conflict migrants often do not want to voluntarily return to their countries of origin and what takes place in the name of repatriation is in effect deportation. While deportation had been an exceptional strategy earlier, it has become normalised and central part of

bordering strategies of nation states from the end of the 1990s. They also point out that the forcibly deported often find a way to re-migrate.

The chapters by Eftihia Voutira on the sea border at the Mediterranean and Giorgia Dona and Marie Godin on transit migrants in the Calais border zone located between France and UK provide interesting insights on bordering practices. Both the chapters emphasise how bordering strategies increasingly use advanced technology, creating what Dona and Godin has called 'techno-borderscapes. Advanced bordering technologies and a biopolitical regime of surveillance deployed by organisations like Frontex, a European Border and Coast Guard Agency which work to intercept and push back migrants, Eurodac, a database of fingerprints which is used to identify people for deportation, 'hotspots' which screen migrants before granting them asylum repeatedly figure in the discussions. Dona and Godin's study also highlight how mobile technologies are used by migrants and contribute to everyday bordering practices which counter state imposed surveillance. But they also point to the differential access to mobile technologies among the migrants, and show that while mobile technologies can provide opportunities, it may also reinforce inequalities.

The question of migrant agency and rights is most centrally taken up by Loren B Landau in the chapter on urban refugees in African cities. Drawing on his study of urban refugees located in multiple cities across Africa like Johannesburg, Nairobi and Kampala, and taking into account different categories of the displaced groups like refugees, asylum seekers and the internally displaced, he challenges the conventional durable solutions of resettlement and integration. Landau points out that rather than integration, migrants often have their feet in multiple sites without firmly rooting them in any. He traces elements of agency in ongoing mobility and flux, rather than looking for a process of local integration which is hard to come by. He also calls for abandoning the language of rights and legal recognition for migrants. He advocates a 'stealthy approach' relying on legal and social invisibility, which pragmatically navigates the bureaucracy and political interests to secure benefits for the displaced groups. This he claims is more effective than universal demands couched in the language of rights.

The final chapter of the book by Milena Chimienti, Anne-Laure Counilh and Laurence Ossipow draws on empirical research conducted with second generation refugees in Switzerland from Vietnam, Sri Lanka and Kurdistan in Iraq and traces transformation in the pattern of transnational ties with their countries of origin. It is an important contribution in the experiences of the second generation of refugees, a relatively unexplored area of study.

The volume touches on a number of interesting issues and will be of great value to academics, policy makers and a wide range of professionals concerned with issues of human mobility. The book effectively challenges methodological nationalism by locating their studies at borders of nation states and focusing on varied transnational flows. However, some important

aspects of contemporary migration like the faultlines of gender, sexuality, race in population flows remain relatively untouched. A stress on humanitarian involvement in alleviating the plights of migrants run through all the chapters. But an emphasis on humanitarian action gloss over the injustice of the process through which people are reduced to *objects* of care and protection in the first place (noted by Paula Banerjee in chapter three, but missing in rest of the book). One does well to keep in mind deeper structures of inequality that generate protracted displacements and also the different categories to classify human mobility with varying degrees of legitimacy and entitlements. The tensions generated by this inherent duality of the process provides a different perspective on conditions of long term displacements, than the one offered by Hyndman and Giles. A different reading reveals that conditions of displacements are indefinitely prolonged not because of the failure of the contemporary protection regime. Rather the causes have to be located in the links between the refugee-like situation and conditions of late capitalism, keeping in mind how refugees and migrants working for low wages and informal conditions are essential for capitalism (Agier 2011; Samaddar 2018). While a search for pragmatic solutions for the displaced as advocated by Landau is important, an equally important task of academic endeavour is to present a critique of the power regime and deeper structures of inequality. Forfeiting the language of rights for the sake of pragmatism raises ethical questions of abandonment of long term visions of a just world.

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